

1 UNITED STATES DISTRICT COURT  
 2 FOR THE EASTERN DISTRICT OF VIRGINIA  
 Alexandria Division

3 UNITED STATES OF AMERICA, : Criminal Case  
 4 : No. 20-CR-00239-TSE  
 5 Plaintiff :  
 6 v. :  
 7 EL SHAFEE ELSHEIKH, : April 5, 2022  
 8 : 9:10 a.m.  
 9 Defendant : A.M. SESSION  
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8 TRANSCRIPT OF TRIAL PROCEEDINGS  
 9 VOLUME 6, A.M. SESSION  
 10 BEFORE THE HONORABLE T.S. ELLIS, III  
 11 UNITED STATES DISTRICT JUDGE  
 and a jury

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COMPUTERIZED TRANSCRIPTION OF STENOGRAPHIC NOTES

**C O N T E N T S**

| <u>WITNESS:</u>                  | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIRECT</u> | <u>RECROSS</u> |
|----------------------------------|---------------|--------------|-----------------|----------------|
| MARSHA MUELLER<br>By Ms. Cook    | 6             | --           | --              | --             |
| MARCOS MARGINEDAS<br>By Ms. Cook | 62            | --           | --              | --             |

**E X H I B I T S**

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**P R O C E E D I N G S**

THE COURT: Good morning. This is United States against El Shafee Elsheikh, and it is 20-CR-239. The record will reflect that counsel and the defendant are present, presumably prepared to proceed. We have all the jurors here. I'll have the jury brought in and we'll proceed.

Who is your next witness, Ms. Cook?

MS. COOK: Marsha Mueller.

THE COURT: All right. Bring the jury in, please.

(Jury in at 9:08 a.m.)

THE COURT: And as always, we will begin with the calling of the roll.

COURTROOM CLERK: Juror Number 50, Laura Younger.

JUROR: Present.

COURTROOM CLERK: Juror Number 29, Wayne Phoel.

JUROR: Present.

COURTROOM CLERK: Juror Number 3, James Bailes.

JUROR: Present.

COURTROOM CLERK: Juror Number 20, Alfred Keyser.

JUROR: Present.

COURTROOM CLERK: Juror Number 50, Esthar Zangeneh.

JUROR: Present.

COURTROOM CLERK: Juror Number 22, John Kugelman.

JUROR: Present.

COURTROOM CLERK: Juror Number 26, Jennifer Murray.

1 JUROR: Present.

2 COURTROOM CLERK: Juror Number 14, Anne Fay.

3 JUROR: Present.

4 COURTROOM CLERK: Juror Number 10, Erica Denham.

5 JUROR: Present.

6 COURTROOM CLERK: Juror Number 30, Camille Morrison.

7 JUROR: Present.

8 COURTROOM CLERK: Juror Number 47, Adrian White.

9 JUROR: Present.

10 COURTROOM CLERK: Juror Number 14, Mirenda Fields.

11 JUROR: Present.

12 COURTROOM CLERK: Juror Number 22, Gwendolin McCrea.

13 JUROR: Present.

14 COURTROOM CLERK: Juror Number 17, Lewis Hoge.

15 JUROR: Present.

16 COURTROOM CLERK: Juror Number 26, Eileen Liles.

17 JUROR: Present.

18 COURTROOM CLERK: Juror Number 39, Ralph Stallings.

19 JUROR: Present.

20 COURTROOM CLERK: And Juror Number 7, Laura Buschman.

21 JUROR: Present.

22 THE COURT: Good morning, ladies and gentlemen. I hope  
23 that all of you had a restful, quiet evening, and that you were  
24 successful in putting the matter out of your mind. Let me ask  
25 whether any of you were unable to refrain from discussing this

1 matter among yourselves or with anyone, or undertaking any  
2 investigation.

3 All right. The record will reflect no hands, so I take  
4 it all of you were successful in following the Court's  
5 instructions in that regard. All right. Good. Let's proceed  
6 now.

7 Ms. Cook, you may call your next witness.

8 MS. COOK: Thank you, Your Honor. The government calls  
9 Marsha Mueller.

10 THE COURT: Come forward and take the oath, please,  
11 ma'am.

12 (Oath administered by courtroom deputy clerk.)

13 THE COURT: Ms. Cook, you may proceed.

14 MS. COOK: Thank you, Your Honor.

15 **(MARSHA MUELLER, having been duly sworn, testified as follows:)**

16 **EXAMINATION BY COUNSEL FOR THE UNITED STATES**

17 **BY MS. COOK:**

18 Q. Good morning.

19 A. Good morning.

20 Q. Will you please state your name and spell it for the record.

21 A. My name is Marsha Mueller. M-A-R-S-H-A, M-U-E-L-L-E-R.

22 Q. Will you please describe your family?

23 A. Well, my husband is Carl, we've been married 47 years. We  
24 didn't have our children until nine years later; Eric, our son,  
25 who is 37, and Kayla. She was three and a half years younger

1       than Eric. And, my family.

2       Q. What is Kayla's full name?

3       A. Kayla Jean Mueller.

4       Q. Does the name Jean have any significance in your family?

5       A. My name is Marsha Jean, and my mom's middle name was Jean.

6       Q. Where was Kayla born?

7       A. She was born in Prescott, Arizona.

8       Q. And what's the date of her birth?

9       A. I'm sorry?

10      Q. What's her birthday?

11      A. 8/14/88.

12      Q. Was Kayla a national of the United States?

13      A. Yes.

14      Q. Where did Kayla grow up?

15      A. She grew up in Prescott, Arizona.

16      Q. What was Kayla like as a young person?

17      A. Well, she was fun, she was kind, gentle, quiet, very easy  
18      going. She was just a joy to be with, from the time she was  
19      little on up.

20      Q. What were Kayla's interests as a teenager and a young adult?

21      A. She was always interested in helping people. She was  
22      involved with a group called Youth Count, and then AmeriCorps.  
23      In high school she graduated sum cum laude. She received the  
24      Yavapai County -- and our county is the size of Connecticut.  
25      She received the Student Philanthropist of the Year award, and

1 was given \$5,000 to give to a charity of her choice. And she  
2 gave it to the troubled youth home that she was working in.

3 Q. Mrs. Mueller, you mentioned that Kayla won a county award.  
4 Could you please tell us the name of that county again and spell  
5 it?

6 A. It's Yavapai County. Y-A-V-A-P-A-I.

7 Q. Did Kayla like music?

8 A. She loved music. She taught herself guitar. She wrote her  
9 own songs. Yeah.

10 Q. Did Kayla enjoy reading?

11 A. She loved to read, she loved to write, she loved to paint,  
12 she loved to draw.

13 Q. Would Kayla write notes and cards?

14 A. Yes. I don't think I ever received -- I don't think anyone  
15 in our family ever received a bought card. Kayla made all of  
16 her own cards.

17 Q. Did Kayla also keep a journal?

18 A. She was always writing. If she was in her room, she was  
19 either reading, writing, playing guitar, painting. Those were  
20 the things that she did. She seemed to be as comfortable being  
21 with herself as she was with a group of people.

22 Q. Did Kayla attend college?

23 A. She did. She went to Northern Arizona University.

24 Q. How far from your home is the Northern Arizona University?

25 A. It's about 100 miles north.



1 Q. Did Kayla stay in touch while she was at college?

2 A. Yes, she did. We emailed and talked all the time, and it  
3 was only 100 miles. Arizona is a huge state. That was nothing  
4 to drive, for us.

5 Q. Were you and Kayla close?

6 A. Yes, very close.

7 Q. What did she study at university?

8 A. She started out in environmental studies, but she changed  
9 her major pretty soon after she got there to international  
10 affairs.

11 Q. How long did Kayla spend at NAU?

12 A. She was there two and a half years. After she had been  
13 there a year, she -- I remember it was Christmas. She told me  
14 that she was going to try to graduate in a year. And I said:  
15 That would be two and a half years; what's your rush? I said,  
16 you know?

17 And she said she felt that she was ready to get out and  
18 start helping people.

19 Q. And was she able to graduate in two and a half years?

20 A. She did. She worked with her professors and changed her  
21 major to political science, with a minor in international  
22 relations.

23 Q. After graduating, did Kayla go overseas?

24 A. She did.

25 Q. Where did she go?

1 A. Well, actually, while she was in college, her first trip was  
2 to Guatemala. And that's really when she saw such poverty and  
3 children digging through trash. I think that was one of the  
4 things that really got her so interested in helping people even  
5 more overseas.

6 As soon as she graduated, which was December of 2009,  
7 by February of 2010, she was in India working in an orphanage.

8 MS. COOK: Could we please display Exhibit 6-5, which  
9 has previously been admitted.

10 Q. Do you recognize the person in this photograph?

11 A. Yes, that's Kayla in India.

12 MS. COOK: Thank you.

13 Q. Did Kayla also stay in touch while she was in India?

14 A. She did. It was harder in India because the internet was  
15 not as -- it was down more than it was up, it seemed like. So  
16 we didn't hear as much from her in India.

17 Q. When she had the opportunity, would she reach out?

18 A. Yes, she would.

19 Q. How long did Kayla spend in India?

20 A. Probably six months, maybe. I can't really remember. She  
21 started out in the orphanage, and then when the months got  
22 hotter, she went up to Dharamsala, in Northern India, and taught  
23 English to Tibetan refugees, and helped them write their  
24 newsletters.

25 Q. Before coming back to the U.S., did Kayla go to any other

1 countries?

2 A. Yes. While she was up there, it was the rainy season and  
3 she ended up picking up a parasite. So she went to the clinic,  
4 or the hospital, and they realized what it was and treated her.

5 And she decided -- she had been to, when she was in  
6 college, to a place in France called Plum Village, which was a  
7 Buddhist monastery. It was actually Thich Nhat Hanh's  
8 monastery. He was a Vietnamese monk who was exiled from  
9 Vietnam. And she went there and met people there, the monks,  
10 and really enjoyed it.

11 So she contacted them and -- Kayla was very frugal.  
12 She didn't ask us for much of anything. I don't know how much  
13 it cost her, because she never asked us for money. She ended up  
14 going to Plum Village for a while, and in order to be there, she  
15 worked while she was there.

16 Q. And, Mrs. Mueller, where, again, is Plum Village?

17 A. It's in France.

18 Q. Where did Kayla go after France?

19 A. She went to Africa, helped some African refugees, the  
20 children. Played with the children and helped with the  
21 children. And then from there she went into Palestine and  
22 worked with a solidarity group - I can't remember the exact  
23 name - that -- those people helped get children to and from  
24 school. And I think Palestine was a very difficult time because  
25 she just saw a lot of suffering there.

1 Q. Did Kayla go to Egypt after Palestine?

2 A. She did. To fly -- Kayla wanted to go; since she was that  
3 close to Cairo, she decided to just go over into Egypt and fly  
4 home from there.

5 Q. Did Kayla meet someone in Egypt?

6 A. She met Omar, Rod. We knew him as Omar initially. So that  
7 was in 2010. They went to the pyramids together on camels, and  
8 they sent us photos. She stayed two or three weeks there before  
9 she returned home.

10 Q. When Kayla returned to the U.S., did she say in touch with  
11 Rod?

12 A. Yes, she did. Really from that point on, they were in  
13 touch. But when the Syrian uprising happened in March of, I  
14 think it was '11, that's when they really started connecting a  
15 lot, because he knew why Kayla had been -- he knew she had been  
16 in India and Palestine and all the things she had done. And so  
17 he started telling her about Syria and what was going on.

18 Q. Did Kayla have any tattoos?

19 A. She did. She had a little owl feather on one of her ribs.  
20 And I remember, she had graduated from school, and I was walking  
21 down the hall and I thought she had a bruise. And I went and  
22 started to push on it, and she told me that was her gift to  
23 herself. She loved owls.

24 Q. Are there owls near your home?

25 A. Yes. We...yes.

1 Q. In May of 2013, did Kayla give a speech to the Kiwanis Club?

2 A. Yes, she did.

3 Q. What is the Kiwanis Club?

4 A. It's an international organization that helps children, and  
5 my husband, Carl, has been a member for well over, I think,  
6 21 years. And Kayla, when she was home, Carl would always talk  
7 her in to coming down and helping with an auction or doing  
8 whatever he could get her to do in Kiwanis.

9 Q. Did Kayla give that speech in Prescott, Arizona?

10 A. She did. She came home in the last part of May, first of  
11 June. She was going to be home two weeks, and Carl asked if she  
12 wanted to let the Kiwanians know what was going on over there in  
13 Syria.

14 Q. Mrs. Mueller, with the assistance of the court security  
15 officer, will you please look at Exhibit 6-1A. I believe that's  
16 in Volume 3.

17 A. 6 what, please?

18 Q. 6-1A. Do you recognize that?

19 A. Yes.

20 Q. What is that?

21 A. It's the speech that Kayla gave that the Kiwanians taped her  
22 doing.

23 Q. And is that a fair and accurate recording of the speech that  
24 Kayla gave in May 2013?

25 A. Yes, it is.

1 MS. COOK: The government moves admission of 6-1A.

2 MR. DEUBLER: Our only objection, Your Honor, is the  
3 one that Your Honor previously ruled on under 804(6) [sic].

4 THE COURT: All right. Let's proceed. It's admitted.

5 MS. COOK: Thank you, Your Honor. May we display it?

6 THE COURT: You may.

7 (GOVERNMENT EXHIBIT Number 6-1A was admitted into  
8 evidence.)

9 (Video played in open court.)

10 Q. In this speech, Kayla mentioned working for a Turkish NGO.  
11 What was the name of the NGO?

12 A. It was Support to Life.

13 Q. And in May of 2013, when Kayla gave the speech, was she  
14 already working for Support to Life?

15 A. Yeah, she actually started in January. Support to Life was  
16 the Turkish NGO, but the Danish Refugee Council piggybacked on  
17 Support to Life because they didn't have the credentials. So  
18 sometimes she would say DRC, sometimes she would say STL,  
19 because they were kind of together.

20 Q. So in May of 2013, was Kayla actually living in Turkey?

21 A. Yes.

22 Q. And had she come home to Arizona for a visit?

23 A. They sent her home for two weeks, because in that type of a  
24 situation, most NGO workers, they want you to get so much time  
25 off to get away from it. And Kayla didn't really have anywhere

1 to go because she lived so far away, so they sent her home for  
2 two weeks.

3 Q. While Kayla was working and living in Turkey, did she stay  
4 in touch with you?

5 A. Oh, yes. Yes.

6 Q. How would she communicate?

7 A. We communicated usually through Skype, also by email. But I  
8 pretty much had the computer on the kitchen counter and we were  
9 always talking to each other.

10 Q. Did Kayla talk to you about someone named Husni al-Barazi?

11 A. She did.

12 Q. Did she meet Husni al-Barazi in Turkey?

13 A. Yes, she did.

14 Q. The speech that we just saw that took place in May 2013, is  
15 that the last time that Kayla was in the United States?

16 A. Yes.

17 Q. So she returned to Turkey after this speech?

18 A. Yes.

19 Q. Do you recall if you sent a message or tried to communicate  
20 with Kayla on August 3rd, 2013?

21 A. Yes, I did. It was a Saturday, and I had her niece, our  
22 little granddaughter. And our little granddaughter I kept a  
23 lot. She got so used to seeing the computer, and we were always  
24 talking to Kayla, and she would just say, "Hi, Kayla," thinking  
25 the computer was Kayla.

1           So I thought, yeah, I would contact her. And she  
2       didn't respond.

3       Q. Was that unusual?

4       A. Maybe not right away. But she didn't respond at all that  
5       day. And usually on the weekends was the easiest time to get  
6       her, or in the evening. I don't remember the time. Maybe it  
7       was morning for us. Because she was working during the week,  
8       but on weekends she was usually around.

9       Q. When did you first learn that something had happened to  
10      Kayla?

11      A. On August 5th, that Monday, Support to Life called us  
12      about -- it was 5:21 in the morning.

13      Q. What did they tell you?

14      A. They told us that Kayla had been detained. They didn't want  
15      us to be real concerned. They seemed like this was -- you know,  
16      they thought they could get it worked out, but they just wanted  
17      to let us know. It would have been the end of their Monday on  
18      the time, so I think they just felt they should let us know  
19      since they still hadn't heard from her by the end of Monday.  
20      Yeah.

21      Q. And what was your reaction to that?

22      A. Well, of course we were -- we didn't know what to think.  
23      They made us feel, it's okay, things will be okay for that day.  
24      So, of course, we were extremely anxious. They told us not to  
25      contact anyone, so we didn't.



1           They gave me -- and they were calling us several times.  
2           They called us more than once that day. And then they gave me  
3           phone numbers to call. Because Kayla didn't have a phone. She  
4           was very cheap. She used Skype all the time. And she did have  
5           a work phone, but she wouldn't use it to call home.

6           So I didn't even know about -- I mean, I didn't know  
7           how to call them, so I didn't know about the code, the country  
8           code. So Carl and I did try to call, and we got this -- you  
9           know, this number couldn't go through or whatever happened, and  
10          that really scared us. So then - this was the next day - we  
11          contacted the State Department and Senator McCain's office.

12         Q. Did someone from the FBI contact you?

13         A. Yes, Bill Haney.

14         Q. Sometime after August 5th, when you were told that Kayla had  
15         been detained, did the FBI provide you with a video of Kayla?

16         A. They did. It was about the first part of September. Kayla  
17         had been detained about a month.

18         Q. With the assistance of the court security officer, will you  
19         please look at Exhibit 6-10. The binder is still up there.

20         A. I'm holding it. 6-10, okay.

21         Q. Do you recognize that?

22         A. According to this, it's the audio-video recording of  
23         Kayla Mueller.

24         Q. Is there a CD under that tab, 6-10?

25         A. Yes, there is. Yes. Got it.

1 Q. Do you recognize the CD?

2 A. Yes.

3 Q. Have you seen that before?

4 A. Yes.

5 Q. And is this an accurate copy of the video that the FBI  
6 provided to you in September 2013?

7 A. Yes.

8 MS. COOK: The government moves the admission of  
9 Exhibit 6-10.

10 MR. DEUBLER: Same 804(6) objection, Your Honor.

11 THE COURT: Overruled. I've already ruled on that.  
12 It's admitted. You may display it if you wish.

13 MS. COOK: Thank you, Your Honor. We would like to  
14 display it, and we would ask that the volume be turned up as  
15 loud as possible.

16 (GOVERNMENT EXHIBIT Number 6-10 was admitted into  
17 evidence.)

18 (Video played in open court.)

19 Q. Mrs. Mueller, who is the person in the video?

20 A. That's Kayla.

21 Q. Did you recognize the clothing she was wearing?

22 A. No.

23 Q. Did you recognize the name Husni al-Barazi?

24 A. I did. Because Kayla, she had met him in December of 2012,  
25 and in July of 2013 - or I think it might have been June - she

1 had told me that he had offered her a position in his  
2 organization, his NGO. And towards the end of July, maybe the  
3 second or third -- I don't know, about three-quarters of the way  
4 through, she sent me an email and said: They offered me the  
5 position. She had interviewed with different people, but she  
6 said they offered it to her. And plus, Bill had called me, Bill  
7 Haney, before we got this, and he asked me -- he said: Do you  
8 know the name Husni al-Barazi?

9 And I said: That's the name I told you about.

10 And then the video came.

11 Q. Did the video come with any instructions about how to  
12 contact the people holding Kayla?

13 A. No.

14 Q. Around this same time, did you receive any communications  
15 from Rod?

16 A. Yes, we did.

17 Q. Did Rod tell you about what had happened with him and Kayla  
18 earlier in August?

19 A. Yes, he did.

20 Q. Did you receive any ransom demands from the people holding  
21 Kayla in 2013?

22 A. No.

23 Q. Did you receive any communication from the people holding  
24 Kayla in 2013?

25 A. No.

1 Q. When did you become aware that there were other  
2 U.S. families whose children had been abducted in Syria?

3 A. It was the last part of 2013, I believe, a young man who was  
4 being held named Steven Sotloff, who had also been over there in  
5 Turkey, contacted us to let us know.

6 Q. Had Steven Sotloff and Kayla been taken on the same day?

7 A. They were.

8 Q. And what day was that?

9 A. August 4th, 2013.

10 Q. Did you also learn that there were hostages from other  
11 Western countries being held?

12 A. Yes.

13 Q. Did you learn that there were other women who had been held  
14 with Kayla?

15 A. Not at that time, no. We did not learn that until April,  
16 more April of 2013 -- or '14.

17 Q. April 2014?

18 A. Right.

19 Q. How did you learn that there had been women who had actually  
20 been with Kayla?

21 A. We were called by MSF, Doctors Without Borders, the Brussels  
22 branch, and they wanted to let us know that they had three women  
23 that had gotten out that were with Kayla, and that she was okay.  
24 And that one of the women had smuggled out a letter for us from  
25 Kayla with a list of contacts for us to contact.

1 Q. In the conversation with MSF, did MSF relay any ransom  
2 demands for Kayla?

3 A. Yes. They gave us the -- well, they sent us overnight, DHL,  
4 the letter, but the man -- there was a woman and a man, and the  
5 man said, you know, that Kayla had been given a life sentence in  
6 retaliation for Aafia Siddiqui. And I asked, you know -- we  
7 didn't know who that was, so he said, "Google it."

8 Q. You had never heard the name Aafia Siddiqui before?

9 A. No.

10 Q. Did you receive the letter sent by MSF?

11 A. Yes, we did.

12 MS. COOK: If we could please display Exhibit 6-14,  
13 which has already been admitted into evidence.

14 Q. Mrs. Mueller, do you recognize the handwriting in this  
15 letter?

16 A. Yes, it's Kayla.

17 MS. COOK: Could we please enlarge the first  
18 highlighted portion.

19 Q. Mrs. Mueller, will you read this highlighted portion?

20 A. "Everyone, if you are receiving this letter, it means I am  
21 still detained, but my cellmates, starting from the 11th of  
22 February, 2014, have been released. I have asked them to  
23 contact you and send you this letter."

24 Q. Did Kayla sometimes use the European dating system?

25 A. Yes, she did.

1 Q. Where she would put the day of the month before the month?

2 A. Yes. Because she lived in France for a year studying  
3 French.

4 Q. Did Kayla describe her emotional state as she wrote this  
5 letter?

6 A. Yes, she did.

7 MS. COOK: Could we enlarge and highlight the second  
8 portion.

9 Q. Mrs. Mueller, would you read this.

10 A. "I wanted to write you all a well thought-out letter, but I  
11 didn't know if my cellmates would be leaving in the coming days  
12 or the coming months, restricting any time. But primarily I  
13 could only but write the letter a paragraph at a time. Just the  
14 thought of you all sends me into a fit of tears. If you could  
15 say I have suffered at all throughout all of this whole  
16 experience, it is only in knowing how much suffering I have put  
17 you all through. I will never ask you to forgive me, as I do  
18 not deserve your forgiveness."

19 Q. In this letter, did Kayla make a reference to being in  
20 prison?

21 A. Yes, she did.

22 MS. COOK: Could we please enlarge the third  
23 highlighted portion.

24 Q. What did Kayla say here?

25 A. "I have been shown in darkness light, and have learned that

1 even in prison, one can be free."

2 Q. Did Kayla express how much she wanted to be back with her  
3 family?

4 A. Yes, she did.

5 MS. COOK: Could you please highlight the fourth -- or  
6 enlarge the fourth highlighted portion.

7 A. "I miss you all as if it has been a decade of forced  
8 separation. I have had many a long hour to think, to think  
9 about all of the things I will do with," blank, "our first  
10 family camping trip, the first meeting at the airport. I have  
11 had many hours to think how, only in your absence, have I  
12 finally, at 25 years old, come to realize your place in my  
13 life."

14 Q. Do you know the name that is under the redaction there?

15 A. Yes.

16 Q. Who was she talking about?

17 A. Her niece.

18 Q. In this letter, did Kayla make a reference to ransom  
19 negotiations?

20 A. No, not in this letter.

21 Q. Did she talk about how she preferred the negotiations to be  
22 handled?

23 A. Yes.

24 MS. COOK: Can we please enlarge the portion beginning,  
25 "I do not want."

1 A. "I do not want the negotiations for my release to be your  
2 duty. If there is any other option, take it, even if it takes  
3 more time. This should never have become your burden."

4 MS. COOK: Can we please enlarge the last highlighted  
5 portion.

6 A. "I wrote a song some months ago that says, The part of me  
7 that pains the most also gets me out of bed. Without your hope,  
8 there would be nothing left. In other words, the thought of  
9 your pain is the source of my own; simultaneously, the hope of  
10 our reunion is the source of my strength."

11 Q. At the time that you received the letter that was just  
12 displayed, did you know that Kayla had written a second letter  
13 at the same time?

14 A. No.

15 Q. Did you know that the women who had been released had  
16 carried out an email address from Kayla's hostage-takers?

17 A. No.

18 Q. Did MSF withhold that from you at that time?

19 A. They did.

20 Q. Did you later learn that there was another letter that had  
21 been carried out by different hostages?

22 A. Yes.

23 Q. How did you learn about that?

24 A. We were going to meet, as families -- all the families were  
25 going to meet in D.C., thanks to David Bradley. And it was



1 May 11th, because it was Mother's Day, and we were on our way to  
2 the airport, and I received an email from Didier Francois.

3 Q. Did Didier Francois attach anything to that email?

4 A. He did, but I couldn't open it.

5 Q. Were you able to open it later?

6 A. When we got to D.C., I was able to open it, and it was  
7 another letter that the Frenchman had brought out.

8 Q. Do you still have the binder in front of you there?

9 A. Yes.

10 Q. Will you please turn to Exhibit 6-15.

11 A. (Witness complies.)

12 Q. Do you recognize that?

13 A. Yes, that's the letter the Frenchman brought out.

14 Q. And is that Kayla's handwriting?

15 A. Yes, it is.

16 MS. COOK: The government moves the admission of  
17 Exhibit 6-15.

18 MR. DEUBLER: Same objection, Your Honor.

19 THE COURT: Overruled. It's admitted, you may display  
20 it.

21 (GOVERNMENT EXHIBIT Number 6-15 was admitted into  
22 evidence.)

23 MS. COOK: Thank you, Your Honor.

24 Can we please enlarge the first highlighted portion.

25 Q. Mrs. Mueller, will you please read this?

1 A. "Everyone, once again, you are being contacted by prisoners  
2 who have been released. They will explain to you the situation.  
3 As I said in my last letter that I pray you received from the  
4 three women, I am okay, healthy, remaining strong, and being  
5 treated kindly. Do not worry for me. As I said in the last  
6 letter, they are demanding for the release of  
7 Dr. Aafia Siddiqui. These men that are contacting you can  
8 inform you of her."

9 "If Aafia is not released, they are asking for  
10 5 million Euros for my release. If they do not receive Aafia or  
11 5 million Euros in one month, I will be placed in negotiations  
12 with other American prisoners, negotiations of which I have no  
13 information, but perhaps these men contacting you may."

14 MS. COOK: Can we please enlarge the second highlighted  
15 portion.

16 Q. Mrs. Mueller, will you read this?

17 A. "I do not know what you have told her, but if it is  
18 appropriate, tell her Auntie Kayla sends her big hugs and  
19 kisses. Tell her I am very sad that I am far and that we cannot  
20 Skype like before, but when I come home, we can play more music  
21 together and have so much fun."

22 Q. Who was Kayla talking about here?

23 A. Her niece.

24 Q. Was it common, before August 4th of 2013, for Kayla to talk  
25 with her niece?

1 A. She talked -- yes. Yeah.

2 Q. Did Kayla also describe her emotional state in this letter?

3 A. Yeah.

4 MS. COOK: Could we please enlarge the next highlighted  
5 portion.

6 Q. Will you read this, Mrs. Mueller?

7 A. "My heart longs to be with you all as" -- and then she  
8 scratched it out. "I have never felt before, but praise be to  
9 God, you are in my dreams almost every evening, and for just  
10 those brief moments in my sleeping conscience that we are  
11 together, I am given a warmth. It's warmth enough for me to  
12 wake with a smile, warmth enough to keep me company through the  
13 days, and warmth enough to keep my heart near to hope, and  
14 therefore to God."

15 Q. After receiving the letter that we just displayed, did you  
16 learn that there was a second letter Patricia had carried out?

17 A. Yes. We were in D.C. for a week, and at the end of that  
18 week, Barak Barfi, the friend of Steven, contacted me and said  
19 that he had just heard that two more MSF people had gotten out,  
20 and it was men.

21 So on the way up to Prescott, I called -- or I texted  
22 or sent an email to MSF, and they got right back and said they  
23 wanted to talk to us. So they were going to call us the next  
24 morning.

25 Q. In your previous conversations with MSF, had they told you

1 they still had employees who were being held?

2 A. I think they did. I'm not really sure, but I think they  
3 might have said that they had other people that they were trying  
4 to get out.

5 Q. And now that you had heard that their other employees had  
6 been released, what did you ask MSF?

7 A. We asked if they would help us.

8 Q. Did they?

9 A. No.

10 Q. Did they tell you about the other letter Patricia had  
11 carried out?

12 A. Yes. When we called them, they said they had another  
13 letter. And my husband especially was upset and said: Why  
14 didn't you give it to us? And they said that it had the demands  
15 for Kayla's release in it, and she didn't want us to know that.  
16 But yet they told us the demands already when they first  
17 contacted us, so we weren't sure about that.

18 Q. Did MSF say they would send you the letter?

19 A. They did. They said that they would send it right  
20 overnight, just like the other letter.

21 Q. Did MSF provide you with any other information?

22 A. Yes. After they told us that, they said they had something  
23 else to tell us; that one of the other MSF women had been given  
24 the task of memorizing an email address to start negotiations  
25 for Kayla.

1 Q. Did you ask for the email address?

2 A. Yes, we did.

3 Q. Did they give it to you?

4 A. They were going to send it with the letter. My husband got  
5 very upset and said: We need that now. We need to start  
6 negotiating. And part of that was because we had heard from, it  
7 might have been the Frenchman that came out, that Kayla was  
8 saying - because they were sending notes - why haven't I  
9 received proof-of-life questions?

10 Well, we didn't know what she was talking about because  
11 we didn't know how to contact her.

12 Q. What was the email address that MSF gave you?

13 A. It was Kayla123@Safe-mail.net.

14 Q. Was that the first time you had received a way to  
15 communicate with the people holding Kayla?

16 A. Yes.

17 Q. What day did you receive the email address?

18 A. I think it was the night of the 22nd. Because on the 23rd,  
19 we actually heard from the hostage-takers. So we get the one  
20 from MSF, and then within, I don't know how many hours, six, 12,  
21 I don't remember, so now we have two addresses to work with.

22 MS. COOK: Could we please display Exhibit 6-20, which  
23 is already in evidence. Could we please enlarge the highlighted  
24 portion?

25 Q. Mrs. Mueller, do you recognize this?

1 A. Yes.

2 Q. Is this the third letter that you received?

3 A. Yes. Yes.

4 Q. Will you please read the highlighted portion?

5 A. "Everyone, if you are receiving this letter, it means I am  
6 still detained but my cellmates have been released. I have been  
7 instructed to write you a letter explaining that I will serve a  
8 life sentence here, just like Aafia Siddiqui, unless  
9 5 million Euros is given as a ransom for my release."

10 MS. COOK: Thank you.

11 Q. Will you please turn to Exhibit 6-8.

12 A. 6-8?

13 Q. 6-8.

14 A. All right.

15 Q. Are those emails that you received from and sent to the  
16 people holding Kayla?

17 A. Yes.

18 Q. Have you had an opportunity to look through those before  
19 coming to court today?

20 A. Yes.

21 Q. Were there also attachments to some of these emails?

22 A. Yes.

23 Q. And have you had an opportunity to look at discs containing  
24 those attachments before coming to court today?

25 A. Yes.

1 MS. COOK: Your Honor, the government moves the  
2 admission of Exhibit 6-9, 6-11, and 6-13.

3 MR. DEUBLER: Same objection, Your Honor.

4 THE COURT: All right. The objection is overruled for  
5 reasons I stated, and, as I've indicated, I will also write on  
6 it. So they are admitted and you may display them.

7 (GOVERNMENT EXHIBIT Numbers 6-9, 6-11, and 6-13 were  
8 admitted into evidence.)

9 MS. COOK: Thank you. Could we please display  
10 Exhibit 6-8. Could we enlarge the entire message?

11 Q. Mrs. Mueller, what day did you receive this email?

12 A. May 23rd.

13 Q. Had you ever received anything from a Safe-mail.net address  
14 before?

15 A. Just the Kayla123 came also from Safe-mail.net, but it was a  
16 different, you know, beginning address.

17 Q. I'm just going to clarify that. The email address that has  
18 the Kayla123, how did you obtain that?

19 A. That one was from MSF. They gave us that one.

20 Q. And the email that we're seeing here that begins "TYE," did  
21 this actually come to your email account?

22 A. This came from the hostage-takers.

23 Q. Looking in the "To" line. Whose address is the CMEKAZ?

24 A. That's mine.

25 Q. Will you please read this email?

1 A. "This message is to inform you that we have the American  
2 citizen, Kayla Jean Mueller, prisoner. We don't want to harm  
3 her. She's like a guest with us at the moment. If you want to  
4 confirm we are really the ones holding Kayla, then we will  
5 accept three questions of a personal nature that only Kayla  
6 could possibly be able to answer correctly."

7 "The conditions of Kayla's returning home safely are,  
8 no media involvement whatsoever, and a cash payment. Reply fast  
9 with a clearly written email message to this email address and  
10 no attachments. Act promptly so as not to endanger the safety  
11 of Kayla."

12 Q. Thank you.

13 MS. COOK: Could we please display Exhibit 26-4, which  
14 is already in evidence.

15 (Video played in open court.)

16 MS. COOK: Thank you. Can we please return to  
17 Exhibit 6-8. Can we please enlarge this message again.

18 Q. Mrs. Mueller, what was your reaction to receiving the  
19 May 23rd email?

20 A. Well, it was a relief to finally get something about Kayla,  
21 but it was -- I don't even know how to explain. It just didn't  
22 seem real. It was shocking. It was -- I don't know what we  
23 thought, but we just knew we were relieved that finally we were  
24 able to start contacting someone.

25 Q. Did you reach out to anyone about the email?



1 A. Well, we sent -- I called Bill Haney right away. He already  
2 knew about the other one, and now we have two. And let him  
3 know.

4 Q. Did you send a response to the May 23rd email?

5 A. We sent a response to both of them.

6 MS. COOK: Could we go to page 2 in Exhibit 6-8. Could  
7 we please enlarge the caption and the first highlighted portion.

8 Q. Mrs. Mueller, what email address was this message sent to?

9 A. The Kayla123@Safe-mail.net.

10 Q. And was this the address that you had just received from  
11 MSF?

12 A. Yes.

13 Q. Will you please read the highlighted portion?

14 A. "I received two letters from Kayla that you allowed her to  
15 send out but had no way to contact you. I only received this  
16 email address on Thursday, May 22, 2014. Had I received this  
17 email address sooner, I would have responded to you  
18 immediately."

19 Q. Had you actually received three letters from Kayla by this  
20 time?

21 A. Yes, we would have.

22 Q. Why did the message reference two letters?

23 A. Well, because they didn't know about the one that was  
24 smuggled out.

25 Q. Was it important to communicate to the hostage-takers that

1       you had had no way to communicate with them before?

2       A.   Yes.  I mean, it had been -- the women got out the first  
3       part of April.  Here we are, you know...

4               MS. COOK:  Can we please enlarge the second highlighted  
5       portion.

6       Q.  Mrs. Mueller, will you please read this?

7       A.  "You should know from talking with Kayla that we are a  
8       family with modest means, and we are concerned because you are  
9       asking for a great deal of money, which is more than we could  
10      earn in several lifetimes.  We will do everything we can to work  
11      with you to get Kayla safely released."

12      Q.  So the May 23rd email that we just looked at did not specify  
13      a ransom amount.  How did you know that the hostage-takers were  
14      asking for a great deal of money?

15      A.  Well, because we had gotten all three emails.

16      Q.  All three emails?

17      A.  Or we had gotten all three letters.

18      Q.  So you knew about the demand for 5 million Euros from the  
19      letters Kayla had sent?

20      A.  Right.

21               MS. COOK:  Can we please go to page 3 in Exhibit 6-8.

22      A.  And, actually, now that I think about it, we also received  
23      their demand, although I don't think they put the demand in the  
24      first one.  I can't remember now.

25      Q.  Are you talking about the May 23rd email?

1 A. Uh-huh.

2 Q. Do you want to take a look at it?

3 A. I've got it in front of me. Yeah, I guess they didn't.

4 MS. COOK: Will you please enlarge the caption and the  
5 first highlighted portion.

6 Q. Is this the second email that you sent to the people holding  
7 Kayla on May 25th, 2014?

8 A. Yes.

9 Q. What email address was this sent to?

10 A. This was sent to the TYEGFWFUGU and then a bunch of numbers.

11 Q. And in this email did you also explain that you had not had  
12 a way to reach out to the people holding Kayla?

13 A. I think we did, yeah. "I was not given any way to contact  
14 you."

15 Q. Did you send questions to the people holding Kayla in this  
16 email?

17 A. We did.

18 MS. COOK: Could we please enlarge the next highlighted  
19 portion.

20 Q. How did you formulate the questions here?

21 A. Well, we wanted to let Kayla know we loved her, and we  
22 wanted to bring her brother into it and her niece and a  
23 childhood friend she grew up with from kindergarten.

24 Q. After May 25th, were there a number of emails that were sent  
25 to the people holding Kayla?

1 A. Yes.

2 Q. Did you also receive responses to those emails?

3 A. Yes. Really quite a few.

4 Q. Who drafted the messages that were sent to the people  
5 holding Kayla?

6 A. The FBI. I would get an email, and then I would call  
7 Bill Haney, the FBI agent, and then he and a negotiator - there  
8 were three or four people - would call us and send us a draft.  
9 And then we would just kind of discuss the draft. Pretty much  
10 they wrote them; I just copied them into an email and pasted,  
11 and then sent it off.

12 Q. How were most of the emails signed?

13 A. They're signed by my husband, Carl. The FBI felt that it  
14 was -- you know, it should be coming from a man, from her  
15 father.

16 Q. But were you the one who actually hit "send" on the emails?

17 A. Yes.

18 Q. Did you receive a response to the May 25th email?

19 A. Yes.

20 Q. Could we please go to page 4.

21 MS. COOK: Please enlarge the highlighted portion.

22 Q. Did the email that you received on May 29th contain  
23 responses to the three questions we saw earlier?

24 A. Yes.

25 Q. Will you please read the responses?

1 A. "Number one, her older brother was pulling her in a wagon  
2 and it tipped over and she fell on her head onto a small rock.  
3 She was around five years old when this happened."

4 "Number two, music is everywhere."

5 "Number three, her name is M, and she is a kindergarten  
6 friend who now lives in Hawaii. M and Kayla used to slide down  
7 the stairs in M's home on top of a mattress when they were  
8 around seven years old."

9 Q. Did this confirm to you that the people who sent the  
10 May 29th email were holding Kayla?

11 A. Yes.

12 Q. Did the May 29th email contain a demand for Kayla's release?

13 A. Yes.

14 Q. Will you please read that in the enlarged portion here?

15 A. "Our demand is simple and achievable. The release of our  
16 sister, Dr. Aafia Siddiqui, who is currently a prisoner of the  
17 United States of America, will secure the instant release of  
18 Kayla and her safe return home. However, if you and your family  
19 do not have the clout and lobbying pressure to force your  
20 government to comply, a simple cash payment of 5 million Euros  
21 will suffice. Both these demands are very achievable as long as  
22 you do not bring the matter to the public's attention.  
23 Therefore, our most important condition for this demand is no  
24 media exposure whatsoever."

25 Q. Was there anything attached to the May 29th email?

1 A. Yes.

2 Q. What was attached?

3 A. It was Kayla's voice.

4 MS. COOK: Can we please display Exhibit 6-9.

5 THE COURT: It's already been admitted, hasn't it?

6 MS. COOK: That's correct, Your Honor.

7 (Audiotape played in open court.)

8 MS. COOK: Can we please return to Exhibit 6-8, page 4.

9 Did the May 29th email contain the names and contact  
10 information of other people?

11 A. Yes, it did.

12 MS. COOK: At this time I would like to display  
13 Exhibit 27-9, which has already been admitted into evidence.

14 THE COURT: You may do so.

15 (Video played in open court.)

16 MS. COOK: Could we please return to Exhibit 6-8,  
17 page 4. Could we please enlarge the single highlighted sentence  
18 towards the bottom of the page.

19 Q. Mrs. Mueller, did the May 29th email make a reference to  
20 securing the release of European hostages?

21 A. Yes.

22 Q. Will you please read the highlighted portion?

23 A. "To secure the release of four French citizens."

24 MS. COOK: Can we please go to page 5. Please enlarge  
25 the highlighted portion at the top.

1 Q. Did the May 29th email repeat the ransom demand again?

2 A. Yes.

3 Q. Did you have any ability to secure the release of

4 Dr. Aafia Siddiqui?

5 A. No.

6 Q. Did your family have the ability to pay 5 million Euros?

7 A. No.

8 Q. Please turn to page 6. Did you respond to the May 29th  
9 email?

10 A. Yes.

11 Q. What day did you send a response?

12 A. June 2nd.

13 MS. COOK: Please enlarge the first highlighted  
14 portion.

15 Q. Mrs. Mueller, will you read this?

16 A. "I will do everything in my power to get Kayla home safely.  
17 If you've gotten to know Kayla while she's been with you, you  
18 know I operated our family automobile repair shop for more than  
19 30 years. Kayla may not know that I retired this January, at  
20 the age of 62, so I could dedicate myself to getting Kayla home  
21 safely."

22 Q. And, in fact, had your husband, Carl, owned an automobile  
23 repair shop?

24 A. (No verbal response.)

25 Q. I'm sorry, you need to say yes or no. You need to answer

1 out loud. Yes?

2 A. Yes, he did. I'm sorry, yes.

3 Q. Okay. It's okay.

4 MS. COOK: Will you please enlarge the next highlighted  
5 portion.

6 Q. Mrs. Mueller, will you read this?

7 A. "You've asked for an astronomical amount of money from a  
8 family with limited sources. It will not be easy for me because  
9 I do not have any clout to force the government to release your  
10 sister, Dr. Aafia Siddiqui, or to pay any ransom."

11 MS. COOK: Will you please enlarge the next highlighted  
12 portion.

13 Q. Mrs. Mueller, will you read this?

14 A. "Organizations are afraid to give any money in these  
15 situations for fear that more of their people will be taken in  
16 the future. The government has a policy that they will not pay  
17 a ransom."

18 MS. COOK: Will you please enlarge the last highlighted  
19 portion.

20 Q. Mrs. Mueller, did you request an opportunity to speak with  
21 Kayla?

22 A. Yes.

23 Q. At this point, had you asked any organizations to help get  
24 Kayla released?

25 A. Yes, we had. The NGOs over in Turkey, Mercy Corps was very



1 helpful to us; STL, Support to Life. DRC wouldn't talk to us at  
2 all. Some in the NGO forum. Yes.

3 Q. Please turn to page 7. Did you receive a response to the  
4 June 2nd email that you sent?

5 A. Yes.

6 Q. What day did you receive the response?

7 A. June 3rd.

8 MS. COOK: Please enlarge the first highlighted  
9 portion.

10 Q. Mrs. Mueller, will you please read this?

11 A. "A few points to clear up. Retiring will not help you get  
12 your daughter back, so go back to work and earn some money."

13 MS. COOK: Please enlarge the second highlighted  
14 portion.

15 Q. Mrs. Mueller, will you read this?

16 A. "Organizations that work in danger zones have special  
17 insurance and whole departments for dealing with situations like  
18 this."

19 MS. COOK: Please enlarge points 3 and 4.

20 Q. Mrs. Mueller, will you please read this?

21 A. "Governments do pay ransoms when it's done under the table.  
22 The only way to speak to Kayla directly is to come to Syria and  
23 see her for yourself. Don't bother asking for any other methods  
24 of communication."

25 MS. COOK: Please enlarge the next highlighted portion.

1 Q. Did the June 3rd email repeat the ransom demands for Kayla?

2 A. They did.

3 Q. Did this message contain a threat to Kayla?

4 A. Yes.

5 Q. Will you please read the last highlighted sentence?

6 A. The last sentence?

7 Q. The last highlighted sentence there.

8 A. Oh, it's all highlighted.

9 Q. I'm sorry, the one beginning, "This is nonnegotiable."

10 A. Oh. "This is nonnegotiable. It is it is more beloved to us  
11 to put a bullet in her head than release her for anything less."

12 Q. Did you send a response to the June 3rd email?

13 A. Yes, we did.

14 Q. Please go to page 9. What date did you send the response to  
15 the June 3rd email?

16 A. June 11th.

17 MS. COOK: Please enlarge the first highlighted  
18 portion.

19 Q. Had you tried to reach out to the persons provided in the  
20 earlier email?

21 A. Yes.

22 MS. COOK: Please go to the second highlighted portion.

23 Q. Mrs. Mueller, will you please read this?

24 A. "I do not have the money you are asking for."

25 MS. COOK: Please enlarge the third highlighted

1 portion.

2 Q. Mrs. Mueller, will you please read this?

3 A. "I would secure your sister Dr. Aafia Siddiqui's release if  
4 I could."

5 MS. COOK: And please enlarge the last highlighted  
6 portion.

7 Q. Will you please read this?

8 A. "You have surely seen the news. Our government is a mess.  
9 They will not help. I have asked the organization Kayla had  
10 worked for, and they will not help. It is up to me."

11 Q. Please go to page 10.

12 MS. COOK: And please enlarge the caption and the  
13 entire email message.

14 Q. Did you receive a response to your June 11th email?

15 A. Yes.

16 Q. Did that come on June 13th, 2014?

17 A. Yes.

18 Q. Will you please read the response you received?

19 A. "It seems like you know exactly what we want, so the ball is  
20 in your court. Aafia or the cash, you choose."

21 Q. Please go to page 11. Did you send a response to the  
22 June 11th email?

23 A. Yes.

24 Q. What date did you send that response?

25 A. June 19th.

1 Q. Did you receive a response to your June 19th email?

2 A. No.

3 Q. Did you send another message on July 2nd?

4 A. Yes.

5 Q. Please go to page 12.

6 MS. COOK: Please enlarge the caption and the entire  
7 message.

8 Q. Mrs. Mueller, will you please read this message?

9 A. "We have sent messages to all of the email accounts that you  
10 have recommended. We have not received any helpful information  
11 or advice from any of them, as of this time. We were hoping to  
12 get assistance from someone so that we could resolve this and  
13 get Kayla back home where she belongs. Please help us resolve  
14 this."

15 "As parents, we are worried about all the fighting we  
16 see in the news, and about what's happening in Syria. Could you  
17 please give us an update about Kayla's well-being?"

18 Q. Please go to page 13. Did you receive a response to your  
19 July 2nd email?

20 A. Yes.

21 MS. COOK: Please enlarge the caption and the email  
22 sent July 2nd.

23 Q. Will you please read this message?

24 A. Yeah, this came on the same day. So: "Stop wasting your  
25 time sending us messages about the emails we gave you. We only

1 gave you them so you can see how easily this process can work if  
2 you get the cash. A simple Google search of the names we gave  
3 you will provide sufficient information about them and their  
4 cases."

5 "As for Kayla's well-being, you will only be allowed to  
6 ask another proof-of-life question once we see that you have  
7 reached a significant benchmark with regards to the amount of  
8 cash you have raised from the demanded sum."

9 Q. Please go to page 14. Did you send a response to the  
10 July 2nd email?

11 A. No.

12 Q. What happened?

13 A. We received an email from the hostage-takers.

14 MS. COOK: Please enlarge the caption and the entire  
15 message sent July 12th.

16 Q. Mrs. Mueller, will you please read this?

17 A. "Beginning from this date, the 13th of July 2014, you have  
18 30 days to have the full 5 million Euros cash demand, all in  
19 500-Euro notes that are not ripped, misprinted, or damaged in  
20 any way, ready in Turkey. If you fail to meet this deadline, we  
21 will send you a picture of Kayla's dead body. This is not an  
22 empty threat. This is a promise that we will follow through."

23 "You can ask the released cellmates of Kayla what  
24 happens when we make such promises. Let it be known that this  
25 will be our first act of revenge taken for the miserably failed

1 and unsuccessful attempt by your arrogant government to free  
2 their prisoners. This pathetic attempt and its inevitable  
3 consequences are going to directly affect you, whether you had  
4 prior knowledge of it or not. So don't bother responding to us  
5 claiming your innocence of what transpired. You have 30 days."

6 Q. Did you know what failed attempt the hostage-takers were  
7 talking about?

8 A. No. I immediately called Bill Haney, woke him up in the  
9 middle of the night, and I don't think he even knew what they  
10 were talking about.

11 Q. Do you know now?

12 A. We do.

13 Q. Do you know now that there was, in fact, an attempt made in  
14 July of 2014?

15 A. Yes. Kayla had a 30-day window, so she was supposed to be  
16 killed around August 14th. We didn't know what was happening to  
17 her, but we do know what happened to James on August 19th.

18 Q. What was your reaction to the July 12th email?

19 A. Well, they were going to kill her. We had been told by the  
20 government that they will not harm a woman. They just kept  
21 repeating, "They will not harm a woman." So...

22 Q. Please go to page 15. Did you respond to the July 12th  
23 email?

24 A. Yes. Yeah, I just told the negotiator and Bill that I was  
25 just going to write something myself.

1 MS. COOK: Please enlarge the caption and the first  
2 highlighted portion.

3 Q. Mrs. Mueller, what's the date of this email?

4 A. July 17th.

5 Q. And is this your response to the July 12th email that  
6 threatened to kill Kayla in 30 days?

7 A. Yes.

8 Q. Did you write this message yourself?

9 A. Yes, we did. But, you know, the FBI was involved in all of  
10 that. That's why, I mean, it took five days to write.

11 Q. Was there also something different about the way this email  
12 was signed?

13 A. Yes. Carl and I both signed it.

14 Q. Why is that?

15 A. Well, because, you know, I felt that I'm Kayla's mom, so I  
16 wanted to -- I needed to sign it as well.

17 Q. Will you please read the highlighted portion there?

18 A. Yes. "Please, we beg you not to harm Kayla. Her heart has  
19 always been to help. She is innocent in all this. Kayla is an  
20 obedient, humble servant. She is honest, trustworthy,  
21 unselfish, and loving. This is why she was there in the first  
22 place, to help people in need, regardless of their nationality,  
23 color, or religion, as a humanitarian aid worker."

24 MS. COOK: Please enlarge the second highlighted  
25 portion.

1 Q. Mrs. Mueller, will you please read this?

2 A. "We are working to get the money, but our family is not  
3 wealthy. If we did have it, we would give it to you, we  
4 promise. But we don't. We are on our own. We are begging your  
5 permission to go to the media to plead for help in raising money  
6 to get our daughter safely home."

7 Q. Did you include anything with the message you sent on  
8 July 17th?

9 A. Yes, we did.

10 Q. What did you include?

11 A. It was an article about Kayla.

12 Q. Please go to page 16.

13 MS. COOK: And please enlarge the highlighted sentence  
14 at the top.

15 Q. Is this the title of the article that you included in your  
16 July 17th email?

17 A. Yes.

18 Q. Did you receive a response to your July 17th email?

19 A. No.

20 Q. Did you send other emails on July 24th, July 28th, and  
21 August 1st?

22 A. August 1st, you said?

23 Q. August 1st.

24 A. Yes.

25 Q. Did you receive a response to the August 1st email?



1 A. Yes.

2 Q. Please go to page 20.

3 MS. COOK: And please enlarge the caption and the  
4 entire email message dated August 1st.

5 Q. Will you please read this?

6 A. "As of today, the 2nd of August 2014, you have 11 days until  
7 the end of your deadline. We do not need to remind you of the  
8 consequences if you do not comply. Act fast."

9 Q. Did you reply to the August 1st email?

10 A. Yes.

11 Q. Did you receive a response to the August 3rd email?

12 A. No.

13 Q. Did you send other emails on August 7th and August 10th?

14 A. Yes.

15 Q. Please go to page 23. Did you include anything with the  
16 August 10th emails that you sent?

17 A. Yes, we did.

18 Q. What did you include?

19 A. My husband, Carl, made a plea for Kayla's life in a video.

20 Q. And did you embed that in one of the emails you sent on  
21 August 10th?

22 A. We did.

23 MS. COOK: Can we please display Exhibit 6-11, which  
24 has been admitted into evidence.

25 (Video played in open court.)

1 Q. Please return to Exhibit 6-8. Mrs. Mueller, was that your  
2 husband, Carl?

3 A. Yes.

4 Q. Please go to page 23. Did you receive a response to the  
5 August 10th messages that you sent?

6 A. No.

7 Q. Please go to page 26. Did you send email messages on  
8 August 12th, 2014?

9 A. Yes.

10 Q. Did you include anything with the August 12th emails?

11 A. We did.

12 Q. What did you include?

13 A. It was a message from the family of Aafia Siddiqui.

14 Q. Could you please enlarge the highlighted portion there on  
15 page 26. Will you read that, Mrs. Mueller?

16 A. "The family of Aafia calls for mercy and compassion."

17 Q. Please go to page 27.

18 MS. COOK: And enlarge the highlighted sentence there.

19 Q. On August the 12th, did you offer something to the  
20 hostage-takers?

21 A. Yes.

22 Q. What did you offer?

23 A. "I am willing to offer my life's savings. You know we are a  
24 modest family, so it is everything we have."

25 Q. Did you receive a response to your August 12th messages?

1 A. No.

2 Q. Please turn to page 28.

3 MS. COOK: Please enlarge the caption and the  
4 highlighted portions there.

5 Q. Mrs. Mueller, did you send a message to the hostage-takers  
6 on August 21st, 2014?

7 A. Yes.

8 Q. Had something happened before you sent this message that  
9 made you concerned for Kayla?

10 A. Well, yeah, they showed Jim being beheaded. We didn't see  
11 it, but we were told about it.

12 Q. Will you please read the highlighted portion here?

13 A. "I was worried yet hopeful that we would have more time to  
14 work together to get Kayla released. Then we were told about  
15 the video your group posted on YouTube, and my hope turned to  
16 dread and fear for Kayla."

17 "Then the news of the failed rescue attempt compounded  
18 my worry. I know you said not to comment on it, but I want you  
19 to know that I learned of the rescue attempt two hours before  
20 the U.S. government put it in the media yesterday."

21 Q. So by the time of the August 21st email, had you learned  
22 about the July 2014 rescue attempt?

23 A. Yes.

24 Q. Did you receive a response to the August 21st email?

25 A. No.

1 Q. Did you send an email on August 30th?

2 A. Yes.

3 Q. Did you receive a response to that email?

4 A. No.

5 Q. Did something happen in September that made you concerned  
6 for Kayla?

7 A. Yes. Steven was beheaded, and David Haines.

8 Q. Did you send a message on September 16th, 2014?

9 A. Yes, we did.

10 Q. Did you include anything with your September 16th emails?

11 A. Yes. I think that was when Carl and I did a video together,  
12 directly speaking to Abu Bakr al-Baghdadi.

13 MS. COOK: Please display Exhibit 6-13, which is  
14 already in evidence.

15 (Video played in open court.)

16 Q. Mrs. Mueller, do you normally wear a head covering like we  
17 just saw in the video?

18 A. No. I had done another video back in May of -- well, no, it  
19 would have been after Jim had been killed. David Bradley  
20 brought us all in and we all did a video. And Support to Life,  
21 since we didn't have -- they didn't feel we were getting enough  
22 help, so Hostage UK started contacting us in 2013, and I  
23 received a message. She called and said that she felt it would  
24 be more respectful to cover my head. So that's why we did that.

25 Q. Please return to Exhibit 6-8. And please go to page 33.

1 Did you receive a response to the September 16th emails  
2 that you sent?

3 A. Yes, we did.

4 MS. COOK: Could you please enlarge the caption and the  
5 entire email dated September 19th.

6 Q. Mrs. Mueller, will you please read this?

7 A. "Kayla's safe release is still a possibility considering our  
8 demands are met. As we made clear before, we demand the safe  
9 release of our sister, Dr. Aafia Siddiqui. If this is  
10 unachievable by you due to your lack of clout within your  
11 government, the sum of no less than 5 million Euros will secure  
12 Kayla's safe release. These demands are very straightforward  
13 and could have been easily achieved a long time ago had it not  
14 been for the stubbornness of your government."

15 "Now, however, due to recent developments within the  
16 region, i.e., your government's criminal aerial bombardments of  
17 the Islamic State, an extra condition must be met; that is, the  
18 immediate halt of all military activities by your government  
19 within and around the lands of the Islamic State. Kayla will  
20 not be released until these conditions are met."

21 Q. Did you have any ability to halt military activity in Iraq  
22 and Syria?

23 A. No.

24 Q. Did you send a response to the September 19th email?

25 A. We did.

1 Q. Did you send that on September 26, 2014?

2 A. Uh-huh.

3 Q. Did you receive a response to that email?

4 A. No.

5 Q. Please go to page 36.

6 THE COURT: Ms. Cook, how much more do you have?

7 MS. COOK: I believe 10 to 15 minutes, Your Honor.

8 THE COURT: Ladies and gentlemen, I'll take a recess  
9 now if you need it, or we'll go to the end of this.

10 All right. Proceed, Ms. Cook.

11 MS. COOK: Thank you, Your Honor.

12 Q. Mrs. Mueller, did you send an email on October 10, 2014?

13 A. Yes.

14 Q. Did you receive a response to that email?

15 A. No.

16 Q. Please go to page 37.

17 MS. COOK: Please enlarge the caption.

18 Q. Did you send an email on October 29th, 2014?

19 A. Yes.

20 Q. Did you receive a response to that email?

21 A. No.

22 Q. Please go to page 38.

23 MS. COOK: And please enlarge the caption.

24 Q. Did you send an email on November 15th, 2014?

25 A. Yes.

1 Q. Did you receive a response?

2 A. No.

3 Q. Please go to page 39.

4 MS. COOK: And please enlarge the caption.

5 Q. Did you send an email on November 30th, 2014?

6 A. Yes.

7 Q. Did you receive a response?

8 A. No.

9 Q. Please go to page 40.

10 MS. COOK: And enlarge the caption.

11 Q. Did you send an email on December 19th, 2014?

12 A. Yes.

13 Q. And did you receive a response?

14 A. No.

15 Q. Please go to page 41.

16 MS. COOK: Please enlarge the caption.

17 Q. Did you send an email on January 14, 2015?

18 A. Yes.

19 MS. COOK: Please enlarge the highlighted portion at  
20 the end of the message.

21 Q. Mrs. Mueller, will you please read this?

22 A. "I cannot see any reason for further delay. There is no  
23 reason to keep Kayla any longer. Our only concern is to get  
24 Kayla home. You have accomplished what you set out to do, so  
25 now Kayla should come home. The only thing left to do is to

1 work through the details."

2 Q. Did you receive news about Kayla in February of 2015?

3 A. Yes.

4 Q. What did you hear?

5 A. On February 6th we were called by Barak Barfi to let us know  
6 that it had been put out on Twitter that Kayla had been killed.

7 Q. What did you do after hearing that?

8 A. Well, it just so happened that was a Friday, and the FBI was  
9 already coming to our house. So Bill Haney was in the air; the  
10 negotiator, Zorka, was on her way up; our pastor, who worked  
11 with us with Kayla, was coming down from Flagg. So they were  
12 all coming to the house.

13 I probably tried to contact Bill but couldn't get him,  
14 so we just waited for everybody to get there. And they got  
15 there really quickly.

16 Q. Please turn to page 42.

17 MS. COOK: Please enlarge the caption and the entire  
18 message.

19 Q. Mrs. Mueller, did you send an email to the hostage-takers on  
20 February 6, 2015?

21 A. Yes.

22 Q. Will you please read this?

23 A. "I have made a statement to the media that you will see  
24 soon. In that statement I am asking you to privately  
25 communicate with me regarding Kayla's well-being. I have not



1 heard from you since September 2014. Until today I have adhered  
2 to your demand of no media. I repeatedly told you that I was  
3 willing to do everything within my power to secure Kayla's safe  
4 release. As Kayla's father, I ask that I hear from you with  
5 accurate information about Kayla. I do not know what to believe  
6 at this point."

7 Q. Please go to page 44.

8 MS. COOK: Please enlarge the caption and the first  
9 highlighted portion.

10 Q. Mrs. Mueller, did you receive a response to your  
11 February 6th email?

12 A. Yes.

13 Q. What day did you receive that?

14 A. February 7th.

15 Q. Will you please read the highlighted portion here?

16 A. "To Kayla's family: We are sure by now that you have read  
17 the recent news regarding your daughter Kayla. The news  
18 regarding her death is indeed true."

19 MS. COOK: Please enlarge the second highlighted  
20 portion.

21 Q. Will you please read this?

22 A. "What we believe to be Jordanian Air Forces, in coordinance  
23 with foolish American intelligence, struck family buildings  
24 outside the city of Raqqa, resulting in the death - or, rather,  
25 murder - of Muslim families."

1 MS. COOK: Could we please enlarge the caption of this  
2 email again.

3 Q. Mrs. Mueller, do you recognize the TYE email address there?

4 A. Yes.

5 Q. Is that the same email address from which you received a  
6 message on May 23rd, 2014?

7 A. Yes.

8 Q. Is that the same email address that you communicated with  
9 throughout all of these emails that you have testified about  
10 here today?

11 A. Yes.

12 MS. COOK: Can we please enlarge the last highlighted  
13 portion on page 44.

14 Q. Will you read this, Mrs. Mueller?

15 A. "We managed to pull out some of our belongings from the  
16 rubble, and subsequently found ripped papers of her daily diary  
17 notes. We'll send you what we can of this soon."

18 Q. Did you ever receive pages of Kayla's diary as promised in  
19 the February 7 email?

20 A. No.

21 Q. Did you reach out to the TYE email address later asking for  
22 those things?

23 A. Yes.

24 Q. Did you ever hear anything further from the TYE email  
25 address?

1 A. No.

2 Q. The February 7th email indicates that Kayla was living with  
3 a Muslim family. Is that right?

4 A. Yes.

5 Q. If Kayla had been in a situation where she could have  
6 communicated with you, would she have done that?

7 A. Yes.

8 Q. Was there anything attached to the February 7th email?

9 A. Yes.

10 Q. And are you able to see the attachments in the binder in  
11 front of you?

12 A. Yes.

13 MS. COOK: We are not going to display these,  
14 Your Honor. I'm going to ask the witness to describe them.

15 THE COURT: You may do so. Are they admitted?

16 MS. COOK: Yes, Your Honor, they're admitted with the  
17 emails.

18 THE COURT: So the jury will be able to see it.

19 MS. COOK: Yes.

20 Q. How many photos were attached to the February 7th email?

21 A. Three.

22 Q. Will you please describe them?

23 A. It's a picture of Kayla. She's completely covered. It  
24 looks like winter, so this is all you see of her. Her face  
25 looks like smeared blood is on it. And in one of them you can

1 kind of see a gash in her cheek. Her eyes are partly open and  
2 her mouth is partly open.

3 Q. Did you ever hear from Kayla after receiving the  
4 February 7th email?

5 A. No.

6 Q. And are these photos that you've just described the last  
7 pictures that you ever received of your daughter?

8 A. Yes.

9 MS. COOK: May I have the Court's indulgence for a  
10 moment?

11 THE COURT: Yes.

12 MS. COOK: Thank you, Mrs. Mueller. I have no further  
13 questions at this time.

14 MR. DEUBLER: No questions, Your Honor.

15 THE COURT: All right. Mrs. Mueller, you may step  
16 down.

17 THE WITNESS: Thank you.

18 THE COURT: All right. Ladies and gentlemen, we're  
19 going to take the morning recess at this time. Put your books  
20 in the customary cubbyhole and refrain from discussing the  
21 matter monk yourselves or with anyone, or undertaking any  
22 investigation on your own. You may follow the court security  
23 officer out.

24 (Jury out at 10:44 a.m.)

25 THE COURT: Court stands in recess until 5 minutes

1 after 11:00.

2 (Recess taken at 10:45 a.m.)

3 THE COURT: You may bring the jury in, please.

4 Ms. Cook, who is your next witness?

5 MS. COOK: Marcos Marginedas.

6 THE COURT: Is he outside?

7 MS. COOK: He is being brought in just as we speak,  
8 Your Honor.

9 THE COURT: We'll wait until the jury is seated to have  
10 him come forward and have the oath administered. How long do  
11 you anticipate he will be?

12 MS. COOK: I would estimate two hours.

13 THE COURT: And I'm sure you have paid attention to the  
14 Court's desire that you should take care to streamline and not  
15 to prolong it?

16 MS. COOK: Yes, Your Honor.

17 THE COURT: Mr. Marginedas may be kept there until the  
18 jury is brought in. The jury will be brought in in a moment.  
19 We'll save a little bit of time.

20 (Jury in at 11:08 a.m.)

21 THE COURT: You may be seated. And, Ms. Cook, you may  
22 call your next witness.

23 MS. COOK: Thank you, Your Honor. The government calls  
24 Marcos Marginedas.

25 THE COURT: Come forward, sir, and take the oath,

1 please.

2 (Oath administered by courtroom deputy clerk.)

3 THE COURT: You may proceed, Ms. Cook.

4 MS. COOK: Thank you, Your Honor.

5 (MARCOS MARGINEDAS, having been duly sworn,

6 testified as follows:)

7 EXAMINATION BY COUNSEL FOR THE UNITED STATES

8 BY MS. COOK:

9 Q. Good morning.

10 A. Good morning.

11 Q. Will you please state your name and spell it for the record?

12 A. My name is Marcos Marginedas Izquierdo. M-A-R-C-O-S,  
13 Marginedas, M-A-R-G-I-N-E-D-A-S, and my second family name is  
14 I-Z-Q-U-I-E-R-D-O.

15 Q. Thank you. How are you currently employed?

16 A. Sorry?

17 Q. How are you currently employed?

18 A. I am a journalist. I work for a newspaper called  
19 *El Periódico*.

20 Q. Do you cover any particular type of story?

21 A. Nowadays I've been covering for seven years Russian affairs.  
22 I was based in Moscow.

23 Q. Are you fluent in Russian?

24 A. I do.

25 Q. What is your most recent assignment?

1 A. My most recent assignment was covering the war in Ukraine.

2 Q. Did you travel to Ukraine to do that?

3 A. Yeah, I did travel. I have been in Ukraine from the  
4 outbreak of the war until, let's say, 12 days.

5 Q. Mr. Marginedas, I'm to going to ask you if you can maybe  
6 move a little closer to the microphone.

7 Where were you born?

8 A. I was born in Barcelona in 1967.

9 Q. In addition to Russian, what languages do you speak?

10 A. I do speak Catalan, Spanish, English, French, and I can more  
11 or less make myself understood in Arabic.

12 Q. What was your position in 2013?

13 A. I was the war correspondent of my newspaper. I was based in  
14 Barcelona, and I would travel around, particularly throughout  
15 the Arab world and Central Asia, Afghanistan.

16 Q. Did you go into Syria in 2013?

17 A. Yes, I did.

18 Q. Why did you go there?

19 A. I went there to cover the suffering of the civilians due to  
20 the war between the rebels and the Syrian regime.

21 Q. Could you provide us with an example of what was happening  
22 in Syria in 2013 that drew you there.

23 A. You know, I have been to many wars before, in Algeria, in  
24 Chechnya, in Afghanistan, in Iraq. But definitely what I  
25 witnessed in Syria couldn't be compared to anything.

1 I remember, for instance, in a place called  
2 Opt Hamas (ph) in Northern Syria, people who were collecting  
3 potatoes very close to a military base. They were shot randomly  
4 by the soldiers there.

5 Q. Do you remember what day you entered Syria?

6 A. Not exactly, but it was at the beginning -- I would say the  
7 beginning of September 2013.

8 Q. Where in Syria did you go?

9 A. I crossed the border illegally through a hole in the fence,  
10 and I was taken to the outskirts of Hama, which is in  
11 Central Syria.

12 MS. COOK: Could we please display Exhibit 2-1, which  
13 has already been admitted.

14 Q. Do you recognize this?

15 A. Yeah, I do.

16 Q. Is this a map of Syria?

17 A. Exactly.

18 Q. Were you please indicate where in Syria you went in  
19 September 2013?

20 A. Here. I entered from here, and I get all the way to here  
21 (indicating).

22 Q. Thank you. Were you with anyone when you entered Syria?

23 A. No, I was on my own. But I had contacts with a local  
24 militia. And I was embedded with this militia that escorted me  
25 to Hama.



1 Q. Were you embedded with the militia in the outskirts of Hama?

2 A. Yes. I was based in the outskirts of Hama, yes. And then  
3 what happened is that two people came to give a speech. They  
4 were obviously from a different militia, more radical. And they  
5 identified me as a foreigner, and when they finished their  
6 speech, they decide me to take -- to take me away with them to  
7 the headquarters.

8 Q. Do you recall what day they took you away?

9 A. I would say around the 3rd of September, September 3rd.

10 Q. September 3rd?

11 A. Yes, exactly.

12 Q. Where did they take you?

13 A. The first day they took me to the headquarters, and the guys  
14 that were in those headquarters were very different from the  
15 guys that I was used to.

16 They were foreigners. They were wearing camouflage.  
17 They were experienced with weapons. They didn't look -- they  
18 didn't come across to me as the naive sort of fighters that were  
19 basically composing the ranks of the moderate radicals. They  
20 were very different.

21 Q. You testified that you were taken to a house. How much time  
22 did you spend there?

23 A. The first day -- yeah, it was around one day, something like  
24 that.

25 Q. Did the people who had taken you take any of your property?

1 A. Yes. They took my wallet. They asked me the PIN code of my  
2 credit card. They stole around, I would say, 8,000 Euros from  
3 my credit card. They -- I was carrying with myself in cash  
4 around 3,000 Euros. They stole it as well. They stole my  
5 properties. So all of this that I was carrying with me, and  
6 then, yeah, the only belongings that remained with me were my  
7 clothes.

8 Q. Where did the men take you after you were brought to this  
9 house?

10 A. They decided -- after taking my identity, they decided I was  
11 an important prisoner. Let's put it this way.

12 Q. I'm sorry, I didn't catch that.

13 A. Sorry. They decided I was an important prisoner, so  
14 immediately they form escort and they decided to take me the  
15 following day to Aleppo.

16 Q. How were you transferred to Aleppo?

17 A. In a convoy. I was in a car, and the car was escorted  
18 with -- by two other cars. One of them was with a submachine  
19 gun.

20 Q. Where were you taken in Aleppo?

21 A. I was taken to a hospital that was to a prison. It was a  
22 former hospital that had been converted into a prison, where  
23 most of the prisoners held by the radical militias were being  
24 held at the time.

25 Q. Where were you taken in the former hospital?

1 A. I was taken to a room, which was a basement. There was a  
2 window in the upper part of the -- of the -- of the room. And I  
3 was on my own, only with a blanket.

4 THE COURT: Mr. Marginedas, I may have missed it, but  
5 do you know who had taken you? What group?

6 THE WITNESS: At the time it wasn't openly told -- they  
7 didn't say that to me openly, but I understood later on that I  
8 was taken by the Islamic State.

9 THE COURT: ISIS?

10 THE WITNESS: ISIS, exactly.

11 THE COURT: Next question.

12 Q. You just described a room with a window near the ceiling.  
13 Do you recall that testimony?

14 A. Sorry?

15 Q. You just described being taken to a room with a window near  
16 the ceiling. Do you recall that testimony?

17 A. Yeah. Yeah.

18 Q. Was there anyone else in the room with you?

19 A. No, not at that point. Not at the beginning, no.

20 Q. Was there any furniture in the room?

21 A. They transferred me to another room when they thought that  
22 this room was too exposed because I could see through this  
23 window. They took me to this room with no windows at all.

24 Q. With no windows?

25 A. Yes, exactly.

1 Q. The question, though, was: Was there any furniture in the  
2 first room?

3 A. Furniture?

4 Q. Furniture, like bed, chair.

5 A. No, the only thing in that room, there was a blanket. Not  
6 even a mattress.

7 Q. While you were inside that first room, the room that had the  
8 window, could you hear anything happening outside the window?

9 A. Yeah, in the corridor they were torturing massively people  
10 being held there. I mean, I could hear during the night and  
11 even during the day people shouting, crying, people being  
12 beaten, people using electric shock. You could hear the sound  
13 of the electricity, yeah.

14 Q. Could you hear people that were in the corridor outside of  
15 your room?

16 A. Yeah, in the corridor outside my room.

17 Q. During the first couple of days that you were in the room,  
18 were you allowed outside?

19 A. No.

20 Q. Were you given anything to eat or drink?

21 A. I was given very little food. Or twice a day, just one or  
22 two pieces of bread and a handful of olive oils and a handful of  
23 beans in the evening.

24 I was punished without water for two days because I  
25 actually complained about me running out of water. So a guy

1 came into my room where he emptied the bottom of my water, and I  
2 was punished without water for two days.

3 Q. What is the climate like in that part of the world?

4 A. It's very, very hot. Being without water for me was  
5 torture. And I actually thought they had forgotten about me,  
6 and in order to refresh my throat, I had to drink my pee.

7 Q. Did there come a time when you were taken out of the room?

8 A. Yeah. There was a moment after a week or so, they decided  
9 that that room -- probably they decided that -- I thought. It's  
10 my analysis. They thought that this room was too exposed  
11 because of the window. So they took me to another room with no  
12 windows at all. I couldn't tell whether it was day or night.

13 Q. In that second room, did you notice if there was anything  
14 written on the walls?

15 A. Yeah. There were some graffiti in Arabic praising Al-Qaeda.  
16 And also I remember seeing the names of Nicolas Hénin and  
17 Pierre Torres, with a date. So I assumed that some of the  
18 journalists, foreign journalist that had disappeared in Syria,  
19 had been in that place.

20 Q. When you would be taken out of your room, could you see what  
21 was happening outside the room?

22 A. No. I was always blindfolded. I was taken once or twice a  
23 day to the restroom. Every time I had to be blindfolded. They  
24 didn't want to touch me because they thought I was impure and I  
25 was filthy, so they forced me to -- in order to take me

1 blindfolded to the restroom, they forced me to -- they used the  
2 same things, the same instruments that they were using with  
3 torture, like chains or sticks.

4 I assumed that they wanted me to think that the  
5 punishment that the people were suffering in the corridor would  
6 happen to me as well, a sort of psychological torture.

7 Q. Although you were blindfolded when you were taken out of the  
8 room, could you tell if there were other people in the corridor?

9 A. Yeah, I remember I bumped -- I actually could feel some --  
10 bumped into bodies that were chained in the corridor.

11 Q. Did you experience any physical mistreatment while you were  
12 at the hospital?

13 A. In that particular place, once or twice they took me outside  
14 to the questioning room, and they threatened me with a gun.  
15 They actually told me that I was a sort of mass execution. They  
16 told me that I was about to be killed.

17 One night they took me away. They took my -- they took  
18 away my blindfold, and they asked me to repair a camera. I said  
19 I was not able to repair a camera because I worked for a  
20 newspaper and I wasn't familiar with cameras. And they pointed  
21 the gun to me. And when they saw me, that I was distressed,  
22 obviously they got pleasure out of it.

23 Q. Did you ever experience an electric shock?

24 A. One day a guy came and he started touching me with electric  
25 shocks, but just briefly. It was, again, a way to express -- to

1 sow fear and to inspire fear. They enjoyed seeing me under  
2 stress and with -- and fear.

3 Q. What kinds of questions were you asked?

4 A. About my family, about who I work for. They wanted to know  
5 whether or not I was really who I stating. I was a -- I kept  
6 saying that I was a journalist, and that they wanted to -- all  
7 the time they asked questions about, "Who are you working for?  
8 Where were you born?" They wanted to understand who I really --  
9 who I was.

10 Q. How long did you spend at the hospital?

11 A. I would say around 20 -- three or four weeks and in this  
12 period. And they transferred me to another place once my  
13 newspaper published a story of my disappearance.

14 Q. What physical condition were you in at the time that you  
15 were transferred from the hospital?

16 A. I was blindfold and I was handcuffed. Two guys were  
17 grabbing me from both sides. They didn't even allow me to walk.  
18 I was put -- I was taken -- because I was blindfolded, I didn't  
19 realize where I was. But they took me to a van. I had to sit  
20 on the floor of the van with my blindfold. I was asked to look  
21 down, downwards. And then a guy who was just behind me, he  
22 placed an RPG on my shoulder, so I could feel that I was being  
23 guarded during the transfer.

24 THE COURT: You say placed an RPG?

25 THE WITNESS: RPG, yes, right here (indicating).

1 THE COURT: What is that?

2 THE WITNESS: Rocket propelled grenade.

3 THE COURT: Next question.

4 BY MS. COOK:

5 Q. Where were you taken after the hospital?

6 A. I was taken to an abandoned house not far from Aleppo, and I  
7 understood it was not that far from Aleppo because it was only a  
8 20-, 25-minute drive from the city. I could feel that place was  
9 abandoned because I could feel the stones on the floor. And  
10 then after walking down a staircase, they opened a room and they  
11 introduced me in that room. And I was asked not to take off my  
12 blindfold before the door was closed.

13 Q. When the door closed, did you take off your blindfold?

14 A. Yeah, I did.

15 Q. What did you see?

16 A. I saw all of the -- most of the journalists that had  
17 disappeared in Syria before me. I saw, you know, four  
18 journalists, French journalists, an Italian NGO worker, a Brit,  
19 and also an American citizen, and a Danish photographer.

20 Q. Do you remember the names of any of the other people that  
21 were in the room with you?

22 A. Yes, I do.

23 Q. Would you tell us some of the names?

24 A. Yeah, I remember, of course, Didier Francois, a journalist  
25 working for a radio station and a very -- and a relatively



1 well-known journalist in Europe. Then Edouard Elias, a  
2 photographer who was working for him; Pierre Torres, a  
3 photographer as well; Nicolas Hénin. These were the two guys  
4 whose names were on the wall in the previous facility where I  
5 was held prisoner.

6 Then Federico Motka, an NGO Italian -- Italian aid  
7 worker; David Haines, who was with him; and then  
8 Daniel Rye Ottosen, Danish photographer; plus Steven Sotloff, an  
9 American journalist.

10 Q. After a couple of days, were any additional prisoners  
11 brought to the room where you were being held?

12 A. I remember Federico said a few days after I was put together  
13 in that room, that he could hear some people praying in Arabic,  
14 and he thought that the voice of -- one of the voices belonged  
15 to James Foley, a journalist that had disappeared for almost a  
16 year. I would say after a couple of days of us -- of that  
17 happening, Federico -- James Foley, John Cantlie, and a German  
18 guy were put together with us.

19 Q. Did you have a name for this place where you were being held  
20 with these other men?

21 A. Yes. The name was The Dungeon.

22 Q. Were there any female prisoners at The Dungeon?

23 A. We could hear the voice of a woman, a foreign woman, being  
24 held, probably, we figured out, in an individual cell in the  
25 corridor.

1 Q. Did you hear any of the guards speaking with the woman?

2 A. Yes, we did.

3 Q. What language was the guard speaking?

4 A. I don't remember what. I think it was either French or  
5 English. I don't remember what.

6 Q. What were the conditions like at The Dungeon?

7 A. It was a very filthy place. It was -- we were being held --  
8 we only had mattresses -- sorry, mattresses -- blankets. We  
9 didn't have mattresses. It was a very small room for almost  
10 20 hostages, so it was difficult for us to kind of organize  
11 ourselves in the mornings and evenings. And we were given very  
12 little food as well. We were only fed twice per day. Some days  
13 they even forgot about us, and we were not fed at all.

14 And then, you know, we didn't have to go to the  
15 restroom because there was a restroom inside the jail, but we  
16 had to do it in front of everybody. So there was no privacy at  
17 all.

18 Q. Was there running water available in the room?

19 A. I think so, yeah.

20 Q. Did -- you mentioned that you were given very little food at  
21 this location.

22 A. Yeah.

23 Q. Can you describe the food that you were given there?

24 A. Exactly. We were given two pieces of bread, pita bread,  
25 which is typical bread in the Arab world, which is very thin.

1 Plus a handful of olive oils in the morning or one or two pieces  
2 of processed cheese.

3 And then, in the evening, we were given, again, two  
4 pieces of bread and a small pot of puree or a handful of beans.

5 Q. Were you given enough food?

6 A. No. I lost a lot of weight. And I lost weight a lot faster  
7 than the rest of the group.

8 Q. Thinking about the beginning of the time that you were at  
9 The Dungeon, what were the nationalities of the guards?

10 A. The nationalities of the guards, they were French-speaking,  
11 so we assumed that they were from France. One of them, just  
12 after a while, he revealed that he was of Belgian origin.

13 Q. He was a what?

14 A. He was a Belgian, from Belgium, yeah. But he spoke French.

15 Q. Do you recall the name of that guard?

16 A. Of that, no, he didn't tell me. But he was later identified  
17 as Abu Idris, who actually blew himself in a terrorist attack in  
18 the Brussels Airport.

19 Q. Did James Foley and John Cantlie talk to you about their  
20 experiences after they had been kidnapped?

21 A. Yes, they told us that the French guards were very nice.  
22 Because I remember James Foley saying they were good compared to  
23 the British guys that they were in custody to at the beginning  
24 of their captivity.

25 Q. Mr. Marginedas, I didn't catch the last half of what you

1 said.

2 A. I'm sorry. James Foley said that the French guys weren't  
3 even cruel compared to the British guys in whose captivity they  
4 were at the beginning of the -- when they were being -- they had  
5 been in captivity, under the captivity of the British guys, and  
6 they were very, very, very nasty.

7 Q. So James Foley and John Cantlie told you about British guys  
8 they had encountered before?

9 A. Yeah.

10 Q. Did James Foley and John Cantlie tell you how many British  
11 guys there were?

12 A. Yeah, there were three.

13 Q. Did the British guys ever come to The Dungeon?

14 A. They started showing up at around, I would say, at the end  
15 of October. I don't remember exactly the first day when they  
16 came, but, you know, we immediately freaked out, because every  
17 time they came, they shouted, "Hands up the wall," and then  
18 would start -- you know, they were into the place intimidating  
19 in a very different way compared to the French guys.

20 And yeah. And they started telling us sooner than  
21 later we would be under their custody, that...

22 Q. When the three British men would come, did you and the other  
23 hostages have to do anything?

24 A. Yeah, we had to face the wall, put our hands on the wall.  
25 We were not allowed to look upward. We had to look downward.

1 And, yeah, we had to remain silent.

2 Q. Were you kneeling?

3 A. Yeah.

4 Q. What was the floor like?

5 A. It was stone, so it was -- and particularly for me, I have a  
6 bit of arthritis. It was very, very painful.

7 Q. You mentioned in your testimony a moment ago that when the  
8 British guys would come in, there would be shouting. Is that  
9 right?

10 A. There would be shouting, yeah.

11 Q. What would they be shouting?

12 A. "Hands up the wall," and then -- yeah, something like that.  
13 And they were very aggressive, very intimidating.

14 THE COURT: In what language?

15 THE WITNESS: In English.

16 THE COURT: What kind of English?

17 THE WITNESS: Definitely British.

18 THE COURT: Next question.

19 Q. Would all three enter the cell together?

20 A. Yeah. Every time, always.

21 Q. Did the three British men hit any of the hostages?

22 A. Yeah, they did.

23 Q. How often?

24 A. Every time. In that period they started to beat my friend,  
25 Steven Sotloff, because they suspected that he was Jewish. And

1 they kept asking him, "Are you Jewish? When did your family  
2 emigrate to America?"

3 And Steven responded that his family had emigrated to  
4 America before the first world war, and that he was not of  
5 Jewish origin.

6 Q. Going back to the three British men for a moment, did you  
7 and the other hostages have a name for them?

8 A. We actually decided to -- my impression is -- my memory is  
9 that it was John Cantlie who actually --

10 MR. DEUBLER: Objection, Your Honor. Same objection as  
11 before.

12 THE COURT: Overruled for the reasons I've all right  
13 stated, and will state again.

14 You may proceed. You may continue your answer, sir.

15 THE WITNESS: Okay.

16 A. John Cantlie -- we needed to use a name that wouldn't be  
17 identified by them because we wouldn't know whether or not they  
18 were listening from the corridor from us at the jail. So as far  
19 as I remember, it was John Cantlie who named them The Beatles,  
20 because every time they entered the place, they would beat us  
21 up.

22 Q. Did you have names for the individual Beatles?

23 A. Yeah. George was the leader, and Ringo and John were the  
24 henchmen.

25 Q. Do you recall how James Foley, John Cantlie, Federico Motka,

1 and David Haines reacted when The Beatles started coming to  
2 The Dungeon?

3 A. They were terrified. Terrified.

4 Q. And are these the same British men that they had encountered  
5 earlier in their captivity?

6 A. Yeah.

7 Q. Did all of The Beatles beat the hostages?

8 A. All of them. They were working as a team.

9 Q. Did they inflict pain?

10 A. Yeah, they did. In the case of Steven Sotloff, when they  
11 beat him, the three of them beat him, as far as I remember,  
12 mostly in front of the rest of the group.

13 Q. How would The Beatles dress?

14 A. They were dressed in black with loose trousers and loose  
15 shirt, and they were masked. And they were carrying weapons,  
16 like this -- pistols, sorry.

17 Q. Pistols?

18 A. Yeah.

19 Q. Did The Beatles say anything about looking at their faces?

20 A. Yeah, they said to us that when we enter, we had to look  
21 downwards. Because we understood that they feared to be  
22 recognized, because, even though they were masked, we could  
23 recognize them by the eyes.

24 Q. Did they have any devices for communication?

25 A. Yeah, they did have walkie-talkies.

1 Q. You testified earlier that when The Beatles came into the  
2 room, you had to kneel and place your hand on the wall. Is that  
3 correct?

4 A. That's correct.

5 Q. How long would you be in that position?

6 A. I would be there for hours. It was -- you know, they would  
7 enter, they would give us a lesson about Islam, about a Qur'an.  
8 Then, afterwards, for instance, they would ask -- sometimes they  
9 would ask us questions about, you know, Islam, and if the  
10 prisoners didn't get the right answer, those prisoners would be  
11 beaten.

12 Q. Did The Beatles say why you were being held?

13 A. Not really. They were just -- no, they just were -- they  
14 were -- my impression is that they were enjoying -- first of  
15 all, they were enjoying -- they hated -- they hated our  
16 countries, definitely.

17 Q. They hated what?

18 A. Our countries.

19 Q. They hated your countries?

20 A. All our countries. They hated Britain, they hated America,  
21 they hated France, and to a lesser extent, definitely they hated  
22 Spain.

23 Q. Did they talk about their hatred for your countries?

24 A. Yeah, they did.

25 Q. Did The Beatles seem to know each other well?



1 A. Yeah, very well.

2 Q. How did they operate with each other?

3 A. As a team. Even though there was a leader, they had very  
4 good interaction with each other. And it was -- and yes, they  
5 were being a team.

6 Q. Did the -- did James Foley and John Cantlie tell you about  
7 things that The Beatles had done to them?

8 A. Yeah, they did. James Foley and John Cantlie told me that  
9 once they tried to escape, and they were severely punished for  
10 two months. They were being waterboarded, they had electric  
11 shocks, they were forced to sleep on wet mattresses. They even  
12 lost the ability to tell whether it was day or night. They lost  
13 the consciousness -- the concept of time.

14 Q. Did John Cantlie give you any advice about The Beatles?

15 A. Yeah? He told me -- because I'm gay, I normally use kind of  
16 jokes that I learned from my friends in the UK. And he told me  
17 that -- because The Beatles had told us that sooner or later we  
18 were going to be under their custody, he told me: Listen,  
19 Marcos, these people, they speak English. It's their mother  
20 tongue. You need to kind of change your personality and to  
21 speak in a different way, because they hate gays, and they will  
22 understand immediately from day one if you keep making these  
23 kind of jokes, that they will understand that you are gay and  
24 you will be in deep trouble.

25 Q. Did you do your best to not draw attention to yourself?

1 A. Sorry?

2 Q. Did you do your best to not draw any attention to yourself?

3 A. Yeah, I just kind of -- I thought that, you know,  
4 John Cantlie's advice was very wise advice. Because he knew  
5 these people very well.

6 Q. Because he knew these people?

7 A. Yes, exactly.

8 Q. Did you become close with any of the other hostages?

9 A. Yes, I did get very close to John Cantlie because we were  
10 sleeping side by side. I also got very close to Steven Sotloff,  
11 to James Foley, and also Daniel Rye and Pierre Torres.

12 MS. COOK: Can we please display Exhibit 7-2, which is  
13 already in evidence.

14 Q. Do you recognize the person in this photo?

15 A. Yeah, he is Steven Sotloff.

16 Q. Thank you. How did your friendship with Steven start?

17 A. Actually, we kind of kept distances for a couple of weeks.  
18 But then, one day, I would say about maybe the end of October,  
19 he came to me and said: Marcos, I would like you to teach me  
20 Spanish. He was a very -- he was -- you know, he was a very  
21 able journalist, and he wanted to keep his brains alive and  
22 working, even in captivity. And even though we didn't have any  
23 books or anything, we have almost nothing to entertain  
24 ourselves, he wanted to keep learning.

25 So we start -- I start giving him lectures in Spanish.

1 Q. Did he learn quickly?

2 A. Oh, very well. He was very, very intelligent guy, very  
3 intelligent guy. As a journalist, I admire him very much.

4 Q. Did Steven tell you about his own kidnapping?

5 A. Briefly. He told me that he was captured together with his  
6 fixer, and -- yeah. But I don't remember that much. But what I  
7 can tell you is that I thought from the very beginning that  
8 Steven was very, very brave.

9 Q. You testified that Steven said he was captured with his  
10 fixer?

11 A. Yeah.

12 Q. Will you please explain what a fixer is?

13 A. A fixer is a guy -- normally -- sorry, excuse me. Normally  
14 a local sort of fixer that helps journalists get into touch with  
15 people to be interviewed, and also to translate and to find  
16 stories. It's a very important figure for journalists,  
17 particularly if you don't speak the language or if you go to a  
18 place that you don't really know particularly well.

19 Q. Did Steven tell you when he was kidnapped?

20 A. As far as I remember, he was kidnapped just a couple of days  
21 before I was -- before my -- before I was captured, yeah.

22 Q. Did he tell you when he was brought to The Dungeon?

23 A. No, he didn't. I don't remember, sorry.

24 Q. Was he brought to The Dungeon before you?

25 A. Yeah.

1 Q. Did The Beatles treat all of the hostages the same?

2 A. No. I'm a Spaniard, and I can tell you that they didn't pay  
3 too much attention to me. They were far more interested in the  
4 Americans and in the British.

5 And in that particular moment, in that particular  
6 period at The Dungeon, they were very interested in Steven,  
7 because they wanted to -- they wanted him to confess that he was  
8 Jewish, because they suspected that he was Jewish.

9 Q. Did you see The Beatles do things to Steven?

10 A. Very -- yeah.

11 Q. What did you see?

12 A. Oh, they were beating, the three of them savagely from  
13 all --

14 Q. Sorry?

15 A. Savagely from all sides, in front of the crowds. Steven was  
16 very circumspect about it, and I remember him once kind of  
17 wearing clothes, three or four kind of clothes -- sorry, clothes  
18 to protect himself from the beating.

19 Q. Was he wearing extra clothing?

20 A. Yeah, extra clothing, exactly. I remember him as well when  
21 he actually complained that he couldn't breathe well, so he  
22 suspected that he had a broken rib. But because Steven was -- I  
23 keep insisting he was a very courageous man. He didn't complain  
24 much. He was a sportsman, so he took it as the aftermath of a  
25 football player -- of a football game -- football match, sorry.

1 Q. I'm sorry, of a what?

2 A. As in the aftermath of a football match.

3 Q. The aftermath of?

4 A. The aftermath of a football match. Sorry, you know, he  
5 said -- I remember him saying, "Oh, this is just like the  
6 aftermath of a football match."

7 Q. Did he ever admit to The Beatles that he was Jewish?

8 A. No.

9 Q. Did The Beatles explain why they hated Americans?

10 A. Yeah. They said that they hated Americans because they  
11 invaded Iraq, they hated Americans because they were keeping  
12 prisoners at the Guantanamo Bay, and they hated America because  
13 of America's policies in the Arab world.

14 Q. Was a Russian hostage ever brought to The Dungeon?

15 A. Yeah, he was brought, I would say, at the end of 2013. At  
16 night he was put together with us, and, yeah.

17 Q. What was his name?

18 A. Sergei.

19 Q. Were you able to talk with Sergei?

20 A. Yeah. Because I'm fluent in Russian, so I was actually the  
21 one who was talking to him most of the time. I was -- most of  
22 the time I was his interpreter with the rest of the group.

23 Q. Was Sergei able to explain why he was in Syria?

24 A. He was a very confused man. He kept saying something about,  
25 you know, he getting married and coming to Syria to pick up his

1 wife, something like this. But we understood that he was not  
2 in -- his mental state was not good, and he was kind of changing  
3 versions, and he was a bit of a mad man, yeah.

4 Q. Did The Beatles ask you for email addresses?

5 A. Yeah.

6 Q. Did they ask other hostages for email addresses?

7 A. Yes, they did.

8 Q. Did all three of The Beatles ask for email addresses?

9 A. Yes.

10 Q. Did The Beatles ask you proof-of-life questions?

11 A. Yes.

12 Q. Do you recall the questions they asked you?

13 A. They asked me about -- the first one was where the village  
14 of my best friend in Spain, which is small village in La Rioja,  
15 in Spain.

16 Q. Tell us the name of the village again.

17 A. Oh, it's very difficult for you. It's very difficult. I  
18 hope I'm not confusing you. Sorry.

19 Q. Did you observe James Foley and John Cantlie be asked  
20 proof-of-life questions?

21 A. Yeah. But that was -- they were the last ones to get  
22 proof-of-life questions, and that was only at the end of 2013.

23 Q. How did James Foley and John Cantlie react after being asked  
24 proof-of-life questions?

25 A. I remember they went back to our room, they grabbed each

1 other, they hold each other, they started crying. Because I  
2 understood that after a year of having no news from their  
3 families, for the first time, they had somehow communication  
4 with their families.

5 Q. Did The Beatles ever film you or take your photograph?

6 A. Yeah, they did.

7 Q. Can you please describe that.

8 A. Well, in my case, the first proof-of-life video, it was not  
9 done by The Beatles. It was done by other people. And they  
10 were not very -- they were not very satisfied with the outcome  
11 because I'm not a very good actor, so obviously the people was  
12 not -- they were not satisfied enough.

13 So a couple of days after that, The Beatles -- not the  
14 three of them, two of them came to the room, took me to another  
15 room, and decided to have another proof-of-life video, to shoot  
16 another proof-of-life video.

17 Q. So you said it was two Beatles that filmed you. Is that  
18 right?

19 A. Yeah, two Beatles, not three.

20 Q. Did you have names for those two Beatles?

21 A. Yeah, Ringo and John.

22 Q. Did they tell you what to say?

23 A. Yeah.

24 Q. Was one of The Beatles holding a camera?

25 A. Yeah.

1 Q. Did you say what they had told you to say?

2 A. Yeah, I did. Yeah.

3 Q. Were they satisfied?

4 A. Well, I mean, they were not satisfied at the beginning, so  
5 they started beating me to stop. They said: It's not dramatic  
6 enough. You are -- this is your crap. This is not going to  
7 convince your sister, so you need to be more dramatic. They  
8 took the copy of the first page of my newspaper, and they forced  
9 me to drop this first page of my newspaper and speak to the  
10 camera.

11 Q. When they beat you, where did they hit you?

12 A. Everywhere. But I remember particularly here in the kidney,  
13 and it was really, really painful. And these two guys really  
14 understood where to hit to inflict pain.

15 Q. Were both John and Ringo beating you?

16 A. Yeah.

17 Q. How long did that go on?

18 A. I would say for 30 minutes or 40 minutes. It was a series  
19 of they beat me for five minutes, six minutes, and then they  
20 started shooting. And they were not satisfied. They said  
21 exactly the same thing.

22 I remember one of them telling me: Just a call with my  
23 walkie-talkie, and I will put a bullet in your head if you're  
24 not convincing enough.

25 Q. Was a video sent to anyone from that incident?



1 A. Yeah.

2 Q. With the assistance of the court security officer, will you  
3 please turn to Exhibit 15-1, which is in Volume 3.

4 A. Which exhibit, please?

5 Q. 15-1A.

6 A. Okay, yeah.

7 Q. 15-1A.

8 A. Yes, I have it here. Shall I take this?

9 Q. No. What tab number -- so turn it so you're looking at  
10 what's under 15-1A.

11 A. Yeah.

12 Q. Turn the next page.

13 A. I'm so sorry.

14 Q. Do you recognize that?

15 A. Sorry?

16 Q. Do you recognize what's at 15-1A?

17 A. Yes, it's exactly the wording of the video.

18 Q. The wording of the video?

19 A. Yes, exactly, yeah.

20 Q. Did you have an opportunity to watch that before coming to  
21 court today?

22 A. Today, no.

23 Q. Before you testified --

24 A. Before, yeah, yeah.

25 Q. -- did you watch the video?

1 A. Yeah.

2 Q. And is that an accurate transcript of what you said in the  
3 video?

4 A. It is a total accurate transcript of what I said in the  
5 video, yeah.

6 MS. COOK: Your Honor, the government moves the  
7 admission of Exhibit 15-1 and 15-1A.

8 MR. DEUBLER: No objection.

9 THE COURT: Admitted. Next question.

10 (GOVERNMENT EXHIBIT Numbers 15-1 and 15-1A were  
11 admitted into evidence.)

12 (Video played in open court.)

13 Q. Mr. Marginedas, was this video filmed at The Dungeon?

14 A. Yeah.

15 Q. And is this the video that was filmed after John and Ringo  
16 had beaten you?

17 A. Yeah.

18 Q. What is the paper that you were holding in the video?

19 A. The front page of my newspaper of October 18th, I think.

20 Q. And was it actually a newspaper?

21 A. No, it was just a copy, probably taken from the internet.

22 Q. Did you feel any pain after filming this video?

23 A. Of course. I mean, I had been -- I had been beaten for  
24 almost 40 minutes, so, you know, you feel -- when I went back to  
25 my room, I felt pain everywhere in my body.

1           And obviously, because it was the first time I was  
2   being beaten, unlike other hostages that had been beaten more  
3   often than me, I felt defenseless and totally kind of broken,  
4   and a kind of a person -- defenseless. Totally defenseless,  
5   yes.

6   Q.   In late December, were you and the other hostages moved from  
7   The Dungeon?

8   A.   Yes, we were.

9   Q.   Who is it that moved you?

10   A.   We were -- The Beatles came, they announced to us that we  
11   were going to be moved. One day they came with new clothing,  
12   with new clothes. We had to wear new clothes.

13           Then, also, the French guys told us that we were going  
14   to be -- we were going to be exchanged in sort of a scheme run  
15   by Qatar. Obviously it was a lie to convince us not to try to  
16   run away during the transfer. And yeah, one day we were taken  
17   to a truck and we were -- we were transferred to another -- a  
18   different location, yes.

19   Q.   Where were you transferred to?

20   A.   We were -- it was not really a long journey compared to the  
21   previous ones. It was far from the city, from Aleppo. We  
22   understood that it was in the mountains. And yeah. And we left  
23   early in the morning, and we arrived there by, I would say,  
24   early afternoon, something like this.

25   Q.   Did you have a name for the location you were taken?

1 A. Yes, we called it The Mansion.

2 Q. At The Mansion, were you and the other hostages given  
3 anything to wear?

4 A. Yeah. First of all, we were separated into different  
5 groups, one group with more hostages than the other one. And  
6 then we were given orange jumpsuits.

7 Q. Was there anything written on the jumpsuits?

8 A. Yeah, there was a number in Arabic, and we were told that we  
9 were going to be -- that we were going to be addressed not by  
10 our names but by the number in Arabic. So we had to learn by  
11 heart the number in Arabic.

12 Q. Who told you that you would be referred to by a number?

13 A. By The Beatles.

14 Q. The Beatles? Did The Beatles explain why you had to wear  
15 these suits and have a number instead of a name?

16 A. Because they wanted to keep us the same treatment that  
17 America was giving to the Islamist prisoners in Guantanamo.

18 Q. Could you hear anything going on in the area around  
19 The Mansion?

20 A. Yeah. At the beginning it was peaceful, but after a while  
21 we started listening, you know, shootings and explosions. And  
22 obviously the fighting was getting closer and closer.

23 Q. Did anything start to happen with the food at The Mansion?

24 A. Yeah. I mean, at the beginning, as always, the food was  
25 good, but then it became scarce after a while. As the fighting

1 was getting close, rations were getting smaller and smaller.

2 Q. Were you and the other hostages moved from The Mansion in  
3 January 2014?

4 A. Yeah. Just after a relatively peaceful Christmas and  
5 New Year's - we celebrate amongst ourselves Christmas and  
6 New Year's - one day they were really, really -- it was obvious  
7 they were under stress and they were in a hustle. And they took  
8 us to -- you know, in a matter of seconds they said: You need  
9 to leave this place. We need to leave this place.

10 So they put us in sort of -- I won't say a van, but it  
11 was an open truck. And not just us, not just the -- the two  
12 groups in which we were separated, we were put together in the  
13 same bay. It was an open bay. It was January. I remember that  
14 because with the orange jumpsuit, it was already very cold in  
15 Syria.

16 Q. Where were you taken?

17 A. We were taken to a place that we called The Office. It was  
18 not far from The Mansion, but finally, for them, it was a safe  
19 place where they could keep us at the safe location.

20 We were told at the beginning of this place that this  
21 place would be temporary because soon we would be moved back to  
22 The Mansion. They kept telling us that they were fighting, that  
23 the fighting was preventing from -- that The Mansion -- we  
24 couldn't live in The Mansion anymore. But as long as the  
25 fighting would recede, we would go back to The Mansion.

1 Q. What were conditions like at The Office?

2 A. They were horrendous. First of all, because the place was  
3 not prepared; the second, because the fighting was getting  
4 closer, we could hear bombings and planes were dropping bombs  
5 nearby. The place was opened and there were glass, windows of  
6 glass. So we understood that if a bomb would fall nearby, some  
7 of us would be immediately killed because of the windows,  
8 because of the glasses.

9 Q. Were any new hostages added to your group at The Office?

10 A. Yeah, at The Office they added British man. He was  
11 Alan Henning. Then two MSF workers from Belgium and from  
12 Denmark.

13 Q. Were --

14 A. Can I say one thing about the conditions of The Office? It  
15 was extremely filthy. There was rubbish all around. They  
16 didn't have even the capacity to give us proper food, and we  
17 also had to pee in bottles in front of everybody.

18 Q. Were there any female prisoners at The Office?

19 A. We were not together with them, but we could hear when they  
20 were taking the female prisoners to the bathroom. They were  
21 passing by in the corridor. And since it was a very open place,  
22 we could hear them.

23 Q. About how long were you at The Office?

24 A. I would say around maybe a week or 10 days, no more than  
25 that.

1 Q. Will you describe the removal from The Office.

2 A. It was also in a hustle. One night obviously they  
3 understood that they could not hold their position, and they  
4 decided to transfer us to another location.

5 Also, it was very scary because we were being visited  
6 by other fighters of the radicals, and they were telling us that  
7 we had to -- we were asked -- we were forced, actually, to learn  
8 by heart in Arabic the prayer that the Muslim needs to say  
9 before he dies.

10 Q. Were you restrained as you were removed from The Office?

11 A. Yes, we were handcuffed in pairs. I was handcuffed to a  
12 French prisoner called Didier Francois.

13 Q. Were you placed in a truck with Didier Francois?

14 A. Yeah. But, I mean, we were separated. Most of the  
15 prisoners were taken to the truck, but in my case,  
16 Didier Francois, we were taken to a van, to a pickup, and then  
17 also Edouard Elias and John Cantlie.

18 Q. Could you see where you were going?

19 A. No. We were blindfolded. We understood immediately because  
20 of the noise -- we were not blindfolded. We had like a blanket  
21 covering our heads. We could hear there was a lot of noise, and  
22 they were evacuating the entire area, so they were forming a  
23 big, big convoy. During the transfer, we were treated a bit  
24 like objects, because I remember in some moments we were -- I  
25 had, like, objects on my head.

1 Q. Can you describe being handcuffed to another person?

2 A. First of all, I mean, there was such little space, and you  
3 have to spend three entire days and nights handcuffed to  
4 somebody. And then, you just don't know how to move; when you  
5 move, immediately it affects the person you're handcuffed to.  
6 So it was very, very painful. After 10 minutes you would feel  
7 immediately uncomfortable and you would feel pain. I have a bit  
8 of arthritis, so we struggled to find a position. Even Didier  
9 kept telling me: You're moving too much.

10 For me it was a bit of a torture because I couldn't  
11 find a comfortable place -- a comfortable position, sorry.

12 Q. Were you given any food during the convoy?

13 A. No, we were not given food during the convey. Because we  
14 were told if we were given food, we would have to go to the  
15 restroom, and that would actually slow the convoy -- it would  
16 affect the convoy, and they didn't want -- they were in a hurry.  
17 So they decided not to feed us; you know, not to slow the  
18 convoy, yeah.

19 Q. Do you recall if the convoy stopped anywhere before you  
20 reached Raqqa?

21 A. Well, the first night I remember we stopped after a night at  
22 a private place. We were kept on the floor. It was like a  
23 private house. I remember Tony, the German hostage, begging to  
24 go to the toilet. He couldn't go. He was really begging. It  
25 was really a necessity. And he -- at the end, it happened that



1 he ended up pooing on himself because he was not taken to the  
2 toilet.

3 And then, after a couple of hours, we were -- we kept  
4 going. The second night we spent the entire night on the road.  
5 We were only allowed -- in my case and the case of  
6 Didier Francois, we were only allowed to -- they only allowed  
7 and we were told to remove the blanket, and we could see, for  
8 instance, that we were part of a big, big convoy. And we were  
9 kind of impressed, yeah.

10 And then the third night, if I actually remember, as  
11 far as I remember, we spent the night at a place we called  
12 Laundry, because there were a lot of clothes.

13 Q. Going back to the first night, when another hostage soiled  
14 himself.

15 A. Yeah.

16 Q. Was he allowed to shower or clean himself up?

17 A. No.

18 Q. Was he given any new clothing?

19 A. No.

20 Q. Did the convoy end up in Raqqa?

21 A. Yeah.

22 Q. Were you taken to a house by a river in Raqqa?

23 A. Yes, we did -- we were.

24 Q. Do you know what river that was?

25 A. We were told that -- because obviously they always kept

1 telling us lies. These people, my impression is that they  
2 are -- they can't stop lying. But they told us that it was the  
3 Tigris River, but we knew it was the Euphrates, because the  
4 Tigris, it was brown; whereas the Euphrates, it was blue. It  
5 was a meaningful difference, because if it was the Tigris, it  
6 meant we were in Iraq, a place that we feared a lot. Whereas at  
7 the Euphrates, that meant that we were still in Syria, and we  
8 thought that our chances to be released were bigger if we  
9 remained in Syria than if we had been transferred to Iraq.  
10 Yeah.

11 Q. Did you have a name for the house by the river?

12 A. The House by the River.

13 Q. What were conditions like initially at The House by the  
14 River?

15 A. Well, I mean, of course, first of all, we thought, yeah,  
16 they give us -- I remember the first night they give us chicken,  
17 which was, you know, something -- you know, something -- it was  
18 good.

19 First of all, you know, the first days at The House by  
20 the River, we were under the custody of local Syrians, so food  
21 was not that -- was not bad. But after a couple of days,  
22 The Beatles showed up, and immediately the conditions of our  
23 captivity changed dramatically.

24 Q. Before we talk about how things changed after The Beatles  
25 came, I want to go back to the first couple of days at The House

1 by the River.

2 A. Yeah.

3 Q. Were there female prisoners in The House by the River?

4 A. Yeah, there were. And as far as I remember, we actually  
5 enjoyed a bit of freedom of movement. First of all, because I  
6 remember the women were allowed to walk around the yard of the  
7 house, even close to us. So we saw them actually walking around  
8 together with a Syrian guard together near the river. And I  
9 remember myself actually going upstairs and going to the room  
10 where the female prisoners were being taken.

11 Q. At The House by the River, were you still wearing the orange  
12 jumpsuits?

13 A. Yes.

14 Q. You testified that after a couple of days, The Beatles  
15 showed up?

16 A. Yeah.

17 Q. What changed after The Beatles arrived?

18 A. Everything. Well, of course, you know, first of all, we  
19 were handcuffed in pairs as well, day and night. We were  
20 allowed to go to -- I was very sick with diarrhea, and we were  
21 only allowed to go to -- very rarely to go to the -- I actually  
22 remember Javier, my countryman, begging to go to the toilet.  
23 Because there was an epitome of, I would say, people with  
24 diarrhea because the lack of hygiene. We were forced to go to  
25 the toilet in pairs. So we were handcuffed, taken to the

1 toilet, and we had to -- yeah, to do our thing in front of  
2 another guy.

3 We were begging also for medicines, because, you know,  
4 there were people -- there were some hostages that were really  
5 sick, David and my case -- and myself as well.

6 And then I remember as well that we were given also  
7 very little food. We were given -- in my case, my bowel was  
8 very damaged, and they gave me only a piece of bread and cans of  
9 processed meat. And I remember that this processed meat, when  
10 it was actually going through my bowel, was extremely painful.

11 Q. How often were the Beatles at The House by the River?

12 A. Well, they settled -- a few nights I remember they settled  
13 in a room just besides our room, and it was torture having them  
14 24/7 beside us.

15 And then also, I think actually they settled a couple  
16 of days afterwards in a house which was a bit farther down the  
17 river near us.

18 Q. Did The Beatles do anything to watch you while you were in  
19 the room?

20 A. Yes. Because they suspected that we opened our handcuffs  
21 during the night, they placed a camera that would surveil us  
22 24/7. So we could only actually remove our handcuffs when there  
23 was no power and no electricity.

24 Q. Did The Beatles ever use food to mistreat the hostages?

25 A. They did, yeah, yeah. I remember once they came with --

1 first of all, the rations were very reduced compared to the  
2 rations that we were getting while we were in the custody of the  
3 Syrian militants of the Islamic State. So obviously they were  
4 using food as a way of torture to us.

5 And then also, I would say that once they came with the  
6 leaflets [sic] for the dinner, they mentioned the name of their  
7 favorite prisoner, who he was Tony, the German guy. They said  
8 to him: Listen, we leave you the leaflets of these -- we give  
9 you this food, and you have to choose four prisoners and they  
10 will eat in front of you. They will eat in front of the rest of  
11 the group.

12 So it was a way -- we had to watch while these five  
13 prisoners were eating in front of us.

14 Q. Were you able to shower or clean yourself at The House by  
15 the River?

16 A. No.

17 Q. Were you still wearing the orange jumpsuits?

18 A. Exactly the same orange jumpsuit that we were given a month  
19 ago, I would say.

20 Q. Did The Beatles ever come into your room at The House by the  
21 River and beat you?

22 A. They -- not to me, but I would say that they did that to --  
23 they punished particularly Americans and Brits -- I will say  
24 Americans. I remember once they came, they forced James Foley  
25 to spend the entire night standing up, handcuffed really, really

1 tight, as a punishment for doing nothing. He had done nothing  
2 to deserve that punishment. And with no food the entire night.

3 Q. Did you ever see The Beatles do something to a hostage named  
4 Peter?

5 A. Yeah. I remember once they asked Peter to come close to the  
6 door, and the leader of the group, George, started drawing a  
7 sword on the cheek with a pencil. The pencil was really...and  
8 then it broke, and he continued drawing the sword with the  
9 pencil broken, which was very sharp. So Peter ended up having a  
10 scar because of that. Because of that.

11 Q. Did The Beatles ever talk about being part of the  
12 Islamic State?

13 A. Yeah.

14 Q. Did any other ISIS members come to The House by the River?

15 A. Yeah. We had the visit of obviously somebody very high up  
16 in the command chain. He presented himself as a Sheikh. We  
17 didn't know who he was, but he was obviously a very important  
18 man. I remember when he entered, he knew by heart, you know,  
19 our identities. I remember he went directly to the Russian  
20 prisoner and punish him for nothing. And he started, you know,  
21 acting as if he was in the command of the operation. He said:  
22 Your nations are proud, and at the beginning I would exchange  
23 one prisoner for one prisoner.

24 So obviously he felt that he was in command -- you  
25 know, in command of the operation, yes.

1 Q. Did anyone have to translate for this person who represented  
2 himself as being a commander?

3 A. Yes. George, the leader.

4 Q. Were The Beatles present when this person spoke with you?

5 A. Yes. Yes, yes, yes.

6 Q. How long were you at The House by the River?

7 A. I would say for two weeks. We were regularly visited. And  
8 I remember, for instance, once the guy -- one of the henchmen  
9 of -- or one of the members of the group, the one that I called  
10 John, he gave us a long, long boring speech about the appearance  
11 of Islamic State, how Al-Qaeda in Iraq became -- that was  
12 fighting American troops in Iraq became -- went to Syria and  
13 became the Islamic State, and joined the rebel ranks with the  
14 aim of actually changing the objective of the rebel forces;  
15 instead of overthrowing the Assad regime, was erasing the border  
16 between Iraq and Syria.

17 Q. Who told you you would be leaving The House by the River?

18 A. Sorry?

19 Q. Who told you you would be leaving The House by the River?

20 A. The Beatles themselves.

21 Q. When you left The House by the River, were you allowed to  
22 take anything with you?

23 A. No. We didn't have -- there were some clothes, but we were  
24 forced to leave the clothes behind -- there were some clothes  
25 that some of us actually had decided to keep them, but we were

1 forced to leave The House by the River also with the orange  
2 jumpsuits.

3 We had no shoes, and I remember we were taken -- again,  
4 I was chained to Pierre Torres, and we were forced to walk --  
5 actually, not to walk, to walk in a hustle, to almost run  
6 barefoot, with no shoes. And it was particularly painful.

7 Q. Were you taken to a place that you referred to as "The  
8 Petrol Station"?

9 A. Yes.

10 MS. COOK: Can we please display Exhibit 3-7, which has  
11 already been admitted into evidence.

12 Q. Do you recognize this?

13 A. Yes. It was the corridor. This is the room where we were  
14 being held, this is the toilet, and every day, on a daily basis,  
15 we were taken to the loo, to the toilet.

16 Q. And is this the location you referred to as The Petrol  
17 Station?

18 A. Yes.

19 Q. What were conditions like at The Petrol Station?

20 A. Again, very filthy. But The Beatles actually got sick of  
21 dealing with us because we were very filthy. We had parasites.  
22 And they decided to give us baths, promised to eliminate the  
23 parasites.

24 I mean, if you understand, when you have bugs all  
25 over -- in your clothes, it's really -- you know, it's very



1 uncomfortable. And the first thing we had to do in the morning,  
2 for instance, was go through our clothes and kill with our hands  
3 the bugs.

4 Then, at that time The Beatles got sick of dealing with  
5 us because they kept saying that we were filthy, and they gave  
6 us products, chemical products, that probably were not  
7 particularly healthy for a human being, to eliminate the  
8 parasites.

9 Q. A moment ago, in the photo, you indicated the room where you  
10 were held.

11 A. Yeah.

12 Q. Were the other men held in that room with you?

13 A. Yes.

14 Q. Was it crowded?

15 A. What?

16 Q. Was it crowded?

17 A. Yeah, very crowded.

18 Q. Were you able to brush your teeth --

19 A. No.

20 Q. -- during this time you were held?

21 A. No, no, no, I was not able to brush my teeth. Actually, I  
22 lost a crown because my teeth got so filthy. And also I got a  
23 baby tooth that started moving, and what I had to do is remove  
24 it with my fingers because it was shaking all the time, and it  
25 was painful when I was eating.

1 Q. Did you have to continue wearing the orange jumpsuits at The  
2 Petrol Station?

3 A. Well, yeah, at The Petrol Station, actually, the idea of  
4 recreating Guantanamo with Western prisoners was forgotten. So  
5 they gave us new clothes.

6 Q. You testified a moment ago that you would be taken from the  
7 room down the hallway to the toilet.

8 A. Yes.

9 Q. Were you supposed to go in a particular order?

10 A. Yeah. We were taken there on an individual basis, not by  
11 The Beatles, but by a local guard. This local guard, he was  
12 Syrian, he hated me for whatever reason, I don't know why. And,  
13 yeah.

14 And maybe I can explain an incident I had with this --  
15 at this moment that really underlines the bravery of  
16 Steven Sotloff. I'm somebody who -- I'm obviously a very  
17 unfocused person, and I kept forgetting about things. And we  
18 were always -- one of the things -- one of the rules that we had  
19 to respect, that we were not supposed to walk in front of  
20 prisoners who had converted at the moment of prayer. But I did  
21 forget about it, and, you know, when I was -- this guy was in  
22 the -- you know, in the door waiting for me. And I forgot about  
23 it, and I started walking. And Steven, you know, seeing that I  
24 was going to make a mistake, tried to tackle me like a football  
25 player, but he didn't succeed.

1           And I actually ended up walking in front of a converted  
2 prisoner who was praying. I remember it was Peter. It was  
3 Peter. So the guy who was looking at the entire scene got angry  
4 with me because he hated me. He really hit me with his foot on  
5 my -- here, and I ended up having a broken rib.

6 Q. How long were you at The Petrol Station?

7 A. In my case, I would say two weeks, no more than that.  
8 Because after a while, I was separated from the group.

9 Q. Did The Beatles also come to The Petrol Station?

10 A. Yeah, they did. They did. They came -- once they asked me  
11 a proof-of-life question about -- the question was when my  
12 father died, in which year my father died, and how my brother,  
13 my eldest brother, died. And I remember the questions were  
14 being made by the leader of the group - I called him George -  
15 and there was another one typing the responses with the  
16 computer.

17 Q. Another Beatle?

18 A. Another Beatle, yeah.

19 Q. So another Beatle was using a computer?

20 A. Yeah.

21 Q. When The Beatles would come to The Petrol Station, did you  
22 have to adopt that same position when they would come into the  
23 room?

24 A. Yeah, yeah, yeah, yeah. It was exactly the same stress  
25 position.

1 Q. Did The Beatles beat hostages at The Petrol Station?

2 A. They did as well. They started actually picking on the  
3 Spaniards. Up until that moment, we Spaniards, we had been kind  
4 of left aside. They didn't seem to have much hate for our  
5 nation. But one day they came and they said: You Spaniards  
6 please tell us, which is the city in which Muslims are insulted  
7 every year? We didn't know the response.

8 Q. What city was he talking about?

9 A. It was Valencia. They commemorate every year -- because  
10 Spain was under Arab control for several centuries, there was a  
11 big battle in Valencia when Christians actually reconquered the  
12 city. And every year there's a commensuration of that battle.  
13 And they assumed that this commensuration of something that has  
14 happened probably a thousand years ago was an insult to the  
15 Muslims.

16 Q. Was one of your fellow hostages beaten for not knowing that  
17 answer?

18 A. Yeah.

19 Q. How did you find out that you were going to be released?

20 A. One day the leader of the group, George, came and said to  
21 me: Marcos, Marcos, are you ready to go? Are you ready to go?  
22 I want you want you to be the leader of the Kuffar. "Kuffar"  
23 means unclean people.

24 Q. How did you react to that?

25 A. I was shocked. The first thing you do is go look upwards.

1 And he threatened me with his fist, Don't look at my face.

2 Q. So at the time George asked you to go, were you in the  
3 position at the wall?

4 A. No, no. Yeah, actually, he singled me out.

5 Q. Where were you in the room?

6 A. I was in the corner.

7 Q. Did George tell the other hostages to do anything?

8 A. Yeah. He said that I would be -- he announced to me that I  
9 was going to be the first one to be released, so -- and I had to  
10 carry the letters of all the fellow hostages to their families.

11 Q. Did The Beatles tell the hostages what to write in the  
12 letters?

13 A. They had to be -- basically not the words, but they had to  
14 be convincing so the families would put pressure on their  
15 governments to accept the negotiations and to be released, in  
16 order to be released.

17 Q. Were you the first of the hostages to be released from  
18 The Petrol Station?

19 A. Yes, I was.

20 Q. What happened right before you were released?

21 A. The Beatles came, they said to me for me, it was time to go.  
22 They handed me over to the local guard, who took me to the  
23 bathroom, which was at the end of the corridor. He shaved my  
24 beard, because I had a long beard, like this (indicating). They  
25 gave me new clothes. And once I was -- that was the first

1 shower probably I had, I would say, for two months, at least, I  
2 would say. Maybe more than that.

3 And once I was presentable -- I actually remember them  
4 saying: Your sister needs to see you presentable. You look  
5 like shit, something like this. And then they took me back to  
6 the room. Everybody was in that first position, you know,  
7 facing the wall with the hands on the wall. And then George,  
8 the leader, said to James Foley: James, touch Marcos, because  
9 this is the closest you're going to be to freedom in your life.

10 Q. Did James do that?

11 A. Yeah.

12 Q. Where did he touch you?

13 A. Right here (indicating).

14 Q. Did The Beatles take you out of the room then?

15 A. Yeah, they took me out of the room. They introduced me in a  
16 pickup. George, the leader, was here, and the other two were --  
17 one was sitting on the front seat and the other one was driving.

18 Q. Was George sitting next to you?

19 A. Yeah.

20 Q. Did George do anything during the drive?

21 A. Yeah. Because he liked -- you know, he liked to be able to  
22 play with fear. And he liked to -- he enjoyed seeing us  
23 suffering. So, of course, when you are the first one to be  
24 released, you never know if you're going to be released or if  
25 you're going to be the first one to be executed. And I was

1 actually -- I felt a bit sorry, because before being released, I  
2 started feeling a bit bad that I could be executed. And Steven  
3 said to me: You're being very lucky. Stop being a cunt.  
4 Anyhow...

5 So George, actually, what he did was he placed a gun at  
6 my head. He wanted me to feel the gun. So he was actually  
7 playing with us, maybe you're not going to be released, you're  
8 going to be executed.

9 Q. Were you taken to a different location?

10 A. I was taken to a crossing point, to a place I could hear a  
11 lot of traffic. George asked me to hand over all the letters  
12 from the Russian guy, the American hostages, and the British  
13 hostages. And then I was covered with a blanket, you know, and  
14 he gave me pen and paper and he said to me -- he asked me to  
15 write a letter with his word. He dictate me a letter.

16 Q. What were you supposed to write in the letter?

17 A. He said to me: I, Marcos Marginedas, accept to be the  
18 lawyer of the Roman prisoners held by the lions. I accept not  
19 to contact any government officials when I be released. I  
20 accept not to go to the -- to speak to the media. Once I am in  
21 my home country, I will send these letters to the families of  
22 the -- to the relatives of -- to the families of the hostages.

23 Q. Did The Beatles tell you what the consequence would be if  
24 you did talk to anyone?

25 A. Yeah. He told me that if I didn't do that, those who were

1 left behind would be punished.

2 Q. You testified that The Beatles made you give back the  
3 letters from the Americans, the British, and the Russian  
4 hostage. Is that right?

5 A. Yes.

6 Q. Were you allowed to keep letters for other hostages?

7 A. Yes.

8 Q. And did you carry those letters with you?

9 A. Yes.

10 Q. Do you recall what day you were removed from  
11 The Petrol Station?

12 A. No. I would say the last week of February.

13 Q. Were you eventually released into Turkey?

14 A. Yeah.

15 Q. Do you recall what day you were released into Turkey?

16 A. Yeah, I was released on March 2nd.

17 Q. Did you have the letters from those other hostages with you?

18 A. Yeah.

19 Q. Were you able to return to Spain?

20 A. Yeah, I was able to return to Spain. Yeah.

21 Q. When you were home, did you still have the letters?

22 A. Yes, I did.

23 Q. Had you sent the letters yet?

24 A. No. I just scanned them and I went -- yeah, and after --  
25 yeah, I did send the letters, yes.



1 Q. Did it take you some time before you sent the letters?

2 A. Yes.

3 Q. Why did it take time?

4 A. Well, I just have to kind of calm down. At the same time I  
5 started receiving the visits of the relative of the hostages.

6 Q. Did you -- in the first days after you got home, were you  
7 afraid to give the letters to any government officials?

8 A. Yes, I was very afraid, because I was told that I shouldn't  
9 contact any government officials, that I had to do that on my  
10 own.

11 Q. Were you also afraid to talk to government officials about  
12 what had happened to you?

13 A. Yes, I was very afraid. And also, I avoided any kind of  
14 contact with the media.

15 Q. Why were you afraid?

16 A. Because I was afraid because they told me that if I didn't  
17 do that, those who were left behind, they will be punished.

18 Q. Punished?

19 A. Beaten, yeah.

20 Q. You just testified that you also didn't talk to the media.  
21 Is that right?

22 A. Yeah, I didn't talk to the media.

23 Q. But were there stories released about your return home  
24 anyway?

25 A. Yeah, of course. Because I'm a journalist and my captivity

1 had gone -- was -- had been published. So everybody was aware  
2 when I went back.

3 Q. When you returned home, did you undergo a medical  
4 examination?

5 A. Yes, I did go through medical examination. They found out  
6 that I had a broken rib and I could have -- I had lack of  
7 Vitamin E. I had lost almost 20 kilos, which I don't know --  
8 how much is it in pounds?

9 Q. I usually times it by two.

10 A. Yeah, so 40 pounds. You see, for instance, when I  
11 arrived in Barcelona, the images of me arriving, you couldn't  
12 recognize me because I was so thin. I looked like probably  
13 20 years older.

14 MS. COOK: If I could have a moment, Your Honor.

15 THE COURT: Yes.

16 MS. COOK: I have no further questions at this time.

17 THE COURT: Any cross-examination?

18 MR. DEUBLER: No, sir.

19 THE COURT: All right, sir. Mr. Marginedas, you may  
20 step down, sir.

21 MS. COOK: Your Honor, may this witness be excused?

22 THE COURT: In the absence of objection, yes, he may be  
23 excused.

24 Ladies and gentlemen, we'll take the luncheon recess at  
25 this time. Remember to put your books in the reserved

1 cubbyholes and to refrain from discussing the matter among  
2 yourselves or with anyone, or undertaking any investigation on  
3 your own.

4 We will reconvene at 1:15. 1:15. You may follow the  
5 court security officer out.

6 (Jury out at 12:32 p.m.)

7 THE COURT: Court stand in recess until 1:15.

8 (Recess taken at 12:32 p.m.)  
9  
10  
11  
12  
13  
14  
15

16 **CERTIFICATE OF OFFICIAL COURT REPORTER**  
17

18 I, Rebecca Stonestreet, certify that the foregoing is a  
19 correct transcript from the record of proceedings in the  
20 above-entitled matter.  
21  
22  
23

24     //Rebecca Stonestreet//    

25 **SIGNATURE OF COURT REPORTER**

    10/17/22    

**DATE**